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State of Miſsouri towit. On the fourth Monday of May being the twenty fourth day of said month, in the year of our Lord one thousand eight hundred and thirty, and being the day appointed by law for holding the Supreme Court for the first Judicial District of said State, the Judges of the Court not attending, the Court stood adjourned until tomorrow.

At a Supreme Court begun and held for the first Judicial District of the State of Miſsouri at the town of Fayette in the County of Howard on Tuesday the twenty fifth day of May in the year of our Lord one thousand eight hundred and thirty. Were present.

The Hon. Mathias McGirk
& George Tompkins } a Quorum of the Judges of said Court.

Gray Bynum clerk & Nathaniel Ford Sheriff.

Alexander W. Doniphan and John Wilson Esquires produced to the Court here satisfactory certificates of good moral character, and that they severally have been admitted as attornies and councellors at law in the State of Kentucky: It is thereupon ordered that they be admitted to an examination.

John Warder appellant
vs.
Alexander Evans appellee } on appeal.

The said appellant by his attorney files his aſsignment of Errors.

Mary Ferguson & others appellants
vs
James R. Pullen & wife appellees } on appeal.

By consent of the parties by their attornies this cause is ordered to be continued.

David Lilly
vs
State of Miſsouri } on writ of Error

By consent of the parties by their attornies this cause is ordered to be continued.

Mark Reavis
vs
Lamme & Brothers } on writ of Error

The defendants in Error move the Court to dismiss this cause from the docket, and file their reasons therefor.

Asahel Storrs
vs
State of Missouri } In Error

Now at this day came the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued, and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Thomas Hardwick
vs
State of Missouri } on writ of Error.

The said Thomas Hardwick by his attorney files his assignment of Errors.

Mark Reavis
vs
Lamme & Brothers } on writ of Error.

The said plaintiff in Error by his attorney files his assignment of Errors.

William P. Thompson
vs
Cyrus Curtis, surviving partner &c } on writ of Error.

The said plaintiff in Error by his attorney files his assignment of Errors.

Samuel Hays appellant
vs
Zachariah Walker appellee } On appeal.

The said appellant by his attorney files his assignment of Errors

William Collins
vs
Charles Bouvier } on writ of Error

The said plaintiff by his attorney files his assignment of Errors.

Andrew Johnson
vs
Hezekiah White } on writ of Error.
The said plaintiff by his attorney files his assignment of Error.

Waddy T. Currin
vs.
Ross & Glasgow } on writ of Error.
The said plaintiff in Error by his attorney files his assignment of Error.

Alexander Hardwick
vs
State of Missouri } On writ of Error.
The plaintiff in Error by his attorney moves the Court for leave to amend his writ of Error.

William Taylor and Emley Taylor his wife of Howard County appeared in open Court and acknowledged a deed by them executed to Martha Foster of Frederick County in the State of Virginia for a tract of land lying in said County of Frederick; And the said Emley being by the court made acquainted with the said contents of said deed and examined separate and apart from her husband again acknowledged the said deed, and declared she relinquished her dower in the lands and tenements therein mentioned voluntarily freely and without compulsion or undue influence of her husband, and did not wish to retract: The identity of the said grantors were proven to the Court by John B. Clark Esquire examined on oath all which is ordered to be certified.

Alexander W. Doniphan and John Wilson Esquires having been examined by the Court and found well qualified, It is ordered that they be licensed to practice law in the several Courts of record in this State.

Charles H. Wesler Esquire produced to the Court here satisfactory certificates of good Moral character and that he has been admitted as attorney and counsellor at law in the State of Indiana: It is thereupon ordered that he be admitted to an examination.

Ruſsell Hicks Esquire produced to the Court here satisfactory certificates of good Moral character and also that he has studied law within this State two years and upwards under the direction of a practicing attorney: It is thereupon ordered that he be admitted to an examination.

The Court then adjourned until tomorrow Morning 8 o'clock.

Wednesday May 26th 1830.

The Court met pursuant to adjournment.

Ruſsell Hicks and Charles H. Veeder Esquires having been examined by the Court and found well qualified, It is ordered that they be licensed to practice law in the several Courts of record in this State.

Samuel Harp appellant
vs
Zachariah Waller appellee } on appeal

On motion of the appellee by his attorney a writ of Certiorari is awarded to the clerk of the Circuit Court for the County of Jackson to send up the record in this case, and the cause is ordered to be continued

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Thomas H Benton
vs
George Craig } on writ of Error.

Now at this day came the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued, and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Evan Henry
vs
Mordecai Lane } on writ of Error.

Now at this day came the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises, take time to deliberate thereon.

William Campbell & wife appellants
vs
John & Thomas Hardeman appellees } On appeal

Now at this day come the said appellants by their attorney, and now here also comes Charles French administrator of all and singular the goods and chattels rights and credits of the said John Hardeman by Abiel Leonard his attorney and defends &c. Whereupon on motion of the said appellants by their attorney it is ordered that a writ of Certiorari issue to the clerk of the Circuit Court for the County of Howard to send up the record in this case without diminution: and the cause is ordered to be continued

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The Court then adjourned until tomorrow Morning 10 o'clock

Thursday May 27th 1830

The Court met pursuant to adjournment.

Andrew Johnson
vs
Hezekiah White } on writ of Error.

The said defendant in Error by his attorney suggests to the Court here a diminution of the record and moves for a certiorari to the clerk of Howard Circuit Court, which is awarded, and by consent of the parties the cause is ordered to be continued.

John Warden appellant
vs
Alexander Evans appellee } appeal.

The said appellee by his attorney files his joinder in Error.

Waddy T. Currin
vs
Ross & Glasgow } In Error

The said defendants in Error by their attorney move the Court to affirm the Judgment of the Circuit Court and file their reasons therefor which motion on argument of counsel is overruled by the Court: and the cause is ordered to be continued at the costs of Plaintiff in Error.

William Collins
vs
Charles Bowmer } In Error

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued, and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Mark Reavis
vs
Lamme & Brothers } In Error

By consent of the plaintiff in Error the defendants in Error withdraw their motion to dismiss this cause from the docket. and file their joinder in Error.

The Court then adjourned until tomorrow Morning 10. Oclock.

Friday May 28th 1830.

The Court met pursuant to adjournment.

Waddy T. Currin
vs
Ross & Glasgow } At this cause comes the said Waddy T. Currin by his attorney and moves the Court to grant him a supersedeas in this cause

Asahel Storrs
vs
State of Missouri } In Error

Now at this day come the parties aforesaid by their respective attornies aforesaid, and the Court not being yet advised what judgment to give in the premises, do order that the cause be continued for further argument.

Alexander Hardwick
vs
State of Missouri } In Error

By consent of the parties the writ of Error is amended by the insertion of the name "Thomas" in place of "Alexander."

Samuel Alexander
vs
Joel H. Haden } In Error

The plaintiff in Error by his atto
files his assignment of Errors and the defendant joins
Error.

Mark Reavis
vs
Lamme & Brothers } In Error

Now at this day come the parties afore
by their respective attornies aforesaid. Whereupon all and
singular the premises being by them before the court ha
fully argued, and the Court not being yet advised wha
judgment to give in the premises take time to deliberate
thereon.

Thomas Hardwick
vs
State of Missouri } In Error

Now at this day come the parties afore
said by their respective attornies aforesaid. Whereupon all an
singular the premises being by them before the Court ha
fully argued, and the Court not being yet advised what
judgment to give in the premises take time to deliberat
thereon.

Waddy T. Currin
vs
Ross L. Glasgow } In Error.

The said plaintiff in Error withdraws
his Motion for a Supersedeas: and by consent of the parti
the order for the continuance of the cause is set aside.

Nathaniel Ford
vs
Circuit Court of Howard County } Exparte.

At this day appears Nathani
Ford by his attorney and files his affidavit and moves the Court to grant a rule
against the said Circuit Court to show cause why a peremptor
Mandamus shall not issue against said Court commanding
and requiring it to audit adjust and certify to the Howard
County Court his account for services rendered in said Circuit
Court in summoning twelve witnesses in behalf of the

defendant in the case of the State of Missouri against Uriah Hinde upon an Indictment for perjury in which the defendant was acquitted: And upon consideration of the motion it is ordered that the clerk of this Court issue a writ of Mandamus to said Circuit Court in the alternative, returnable to the next term.

The Court then adjourned until tomorrow Morning 10 oclock.

Saturday May 29th 1830

The Court met pursuant to adjournment.

Thomas H. Benton
vs
George Craig
On writ of Error.

And now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had, for that it appears to the Court here that in the record and proceedings aforesaid and also in the giving the judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed. And it is further considered by the Court that the said Thomas H Benton recover against the said George Craig his costs and charges by him about the prosecution of his said writ of Error laid out and expended. Whereupon the cause is remanded to the said Circuit Court for the County of Howard for further proceeding in that court.

Evan Henry
vs
Mordecai Lane } on writ of Error

And now at this day come again the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment given in form aforesaid as the matters aforesaid by the said plaintiff for error aſsigned being seen and by the Court here fully understood and mature deliberation thereupon had, for that it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the causes for error above aſsigned and alleged in any wise notwithstanding And it is further considered that the said Mordecai Lane recover against the said Evan Henry his costs and charges by him about his defence in this behalf expended &c.

William Collins
vs
Charles Brommer } on writ of Error

And now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff for error aſsigned being seen and by the Court here fully understood and mature deliberation thereupon had, for that it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the causes for error above aſsigned and alleged in any wise notwithstanding. And it is further considered that the said Charles Brommer recover against the said William Collins his costs and charges by him about his defence in this behalf expended &c.

William P. Thompson
vs
Cyrus Curtis surviving partner
of Ely & Curtis &c. } on writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

State of Miſsouri
vs
George Foster } on writ of Error.

Now at this day come the parties aforesaid by their respective attornies and by consent the record is amended by inserting the words "law" and "was" in the transcript sent up from the Saline Circuit Court. Whereupon the said defendant in Error moves the Court to dismiſs the Writ of Error in this case and files his reasons in writing: And thereupon the plaintiff files an aſsignment of Errors and the defendant joins therein: Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

Waddy T. Curran
vs
Roſs & Glasgow } on writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them submitted to the Court here on the briefs, and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until Monday Morning 8 O'clock

Monday May 31st 1830

State of Missouri
vs
George Foster } on writ of Error.

And now at this day come again into the Supreme Court here the parties aforesaid by their respective attornies aforesaid. Whereupon as well the record and proceedings aforesaid and the judgment thereupon given in the matters aforesaid by the said plaintiff for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for that it appears to the Court here that in the record and proceedings aforesaid and also in the giving the judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the judgment aforesaid for the errors aforesaid and others in the records and proceedings aforesaid be reversed annulled and entirely for nothing esteemed. And this court proceeding to give such judgment as the Circuit Court ought to have given do assess the fine of the plaintiff in Error to fifty dollars. Therefore it is considered that the State of Missouri recover against the said George Foster the sum of fifty dollars as a fine for the offence aforesaid together with her costs and charges about the prosecution of her writ of error laid out and expended.

Mark Reavis
vs
Lummon & Brothers } on writ of Error.

And now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the records and proceedings aforesaid and the judgment thereupon given in the matters aforesaid by the said plaintiff for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for that it appears to the Court here that in the record and proceedings aforesaid and also in the giving the judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the error aforesaid so far as the said Circuit Court refused to quash the summons and proceedings had before the Justice, and so far as respects the costs, be reversed annulled and entirely for nothing esteemed. And it is further considered that the plaintiff in error recover the costs of the writ of error.

William P. Thompson
vs
Cyrus Curtis, surviving partner &c } On writ of Error

And now at this day come again unto the Supreme Court here the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid as the Judgment thereupon given as the matters aforesaid by the said plaintiff for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for that it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the error aforesaid be reversed annulled and entirely for nothing esteemed. and it is further considered that the said William P. Thompson recover against the said Cyrus Curtis his costs and charges by him about the prosecution of his said writ of Error laid out and expended

Squire Davis appellee
vs
John Parker & wife appellants } Appeal from Boone Circuit Court.

By consent of the parties by their respective attornies, this cause is reinstated on the Docket of this Court, and ordered to be continued until the next term of the Court.

The Court then adjourned until tomorrow Morning 8 oclock.

Tuesday June 1st 1830.

The Court met pursuant to adjournment.

William P. Thompson
vs
Cyrus Curtis surviving partner &c } In Error.

The said William P. Thompson by his attorney comes and moves the Court here for a Mandamus to the Circuit Court of Ray County to reinstate the cause aforesaid upon the docket of that court, and to proceed therein.

Waddy T. Currin
vs
James Ross &
William Glasgow } On writ of Error.

And now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given in the matter aforesaid by the said plaintiff for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for that it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed. And it is further considered that the said Waddy T. Currin recover against the said James Ross and William Glasgow his costs and charges by him about the prosecution of his said writ of Error laid out and expended. and the cause remanded

John Parker & wife Appellants
ads
Squire Davis appellee } On appeal

The said appellants by their attorney file their assignment of Errors.

Robert Wallace appellee
vs
George S Foster &
Josiah Foster appellants } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow Morning 8. Oclock.

Wednesday June 2nd 1830.

The Court met pursuant to adjournment.

John Warder appellant
vs
Alexander Evans appellee } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Samuel Alexander
vs
Joel H. Haden } On writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Robert Wallace appellee
vs
George S. Foster & Josiah Foster appellants } On appeal.

Now at this day come the parties aforesaid by their attornies and the court not being yet advised what judgment to give in the premises take until the next term to deliberate thereon, and the cause is continued.

William P. Thompson

vs

Cyrus Curtis surviving partner &c. } On motion for Mandamus

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon on argument of the motion aforesaid, It is ordered that the clerk of this Court issue a writ of Mandamus to the said Circuit Court of the County of Ray returnable here at the next term, commanding the said Court to redocket the said cause, or to show cause to this court why it is not done.

William Campbell & wife appellants

vs

Thomas Hardeman & others appellees } On appeal.

The appellants by their attorney file their assignment in Error and the appellees their joinder

The Court then adjourned until tomorrow Morning 8 O'clock.

Wednesday June 3rd 1830

The Court met pursuant to adjournment.

John Warder appellant

vs

Alexander Evans appellee } On appeal.

And now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said appellant for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for that it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the judgment aforesaid. Therefore it is considered that the judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the causes for error above assigned and alleged in any wise notwithstanding And it is further considered that the said Alexander Evans recover against the said John Warder his costs and charges by him about his defence in this behalf laid out and expended. and this Court award to the appellee five per cent damages on the amount of his judgment in the circuit co

Samuel Alexander
vs
Joel H. Haden } on writ of Error

And now at this day come the parties aforesaid by their respective attorneys aforesaid. Whereupon as well the record and proceedings aforesaid and the judgment thereupon given in the matters aforesaid by the said plaintiff for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for that it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the judgment aforesaid Therefore it is considered that the judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the causes for error above assigned and alleged in any wise notwithstanding: And it is further considered that the said Joel H. Haden recover against the said Samuel Alexander his costs and charges by him about his defence herein expended.

Thomas Hardwick
vs
State of Missouri } In Error

The Court not being yet advised what judgment to give in the premises take until the next term to deliberate thereon until which time the cause is continued.

The Court allows to Nathaniel Ford his account against the State amounting to Nineteen dollars eighty two and one half cents.

The Court allows to Gray Bynum his account against the State for office rent up to the fourth Monday of May 1830 the sum of twenty eight dollars

The proceedings of this term commence at page 98 and end at page 113 and contain 16 pages.

The Court then adjourned until court in course.

M. McGirk president

State of Missouri towit On the fourth monday of October being the twenty fifth day of said month in the year of our Lord One thousand eight hundred and thirty, and being the day appointed by law for holding the Supreme Court for the first Judicial District of said State; the Judges of the Court not attending, the Court stood adjourned until tomorrow.

Tuesday October 26th 1830

This day neither of the Judges of this Court having attended the Court again stood adjourned until tomorrow.

Wednesday October 27th 1830.

At a Supreme Court begun and held for the first Judicial District of the State of Missouri at the town of Fayette in the County of Howard on Wednesday the twenty seventh day of October in the year of our Lord One thousand eight hundred and thirty. Were present.

The Hon. Mathias McGirk } a Quorum of the Judges
& Robert Wash } of said Court
Nathaniel Ford Sheriff & Gray Bynum clerk.

Thomas Rogers
vs } on writ of Error
State of Missouri

The said plaintiff in Error files his assignment of Error

Waddy T. Currin
vs } on writ of Error.
John Graves admr &c

The plaintiff in Error files his assignment of Error.

Samuel Alexander
vs } on writ of Error.
Joel H. Hayden

The plaintiff in Error files his assignment of Error and the defendant his joinder.

The Court then adjourned until tomorrow Morning 9 oclock.

ursday October 28. 1830.

The Court met pursuant to adjournment.

The Honorable George Tompkins this day attended and took his seat.

David Lilly
vs
State of Missouri } On writ of Error.

This cause is continued by consent.

Mary Ferguson & others appellants
vs
James R. Pullen & wife appellees } On appeal.

This cause is ordered to be continued.

Andrew Johnson
vs
Hezekiah White } on writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them submitted to the Court here on the briefs, and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

William Campbell &
Sophia W. Campbell his wife
vs
John Hardeman &
Thomas Hardeman } on appeal.

Now at this day come the appellants by their attorney. Whereupon all and singular the premises being by them submitted to the Court here on their brief and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

James E. Fenton
vs
Jesse Perkins } on writ of Error.

The said plaintiff in Error files his assignment of Errors.

John Parker & wife appellants
vs
Squire Davis appellee } on appeal.

This cause is continued by consent.

William Wray

John Moore &
Ephraim Moore
adv
State of Missouri } On Judgment rendered at the April Term 1835 of this Court.

Now at this day come the defendants aforesaid by their attorney and move the Court to enter up Judgment for the defendants.

Thomas Hardwick
vs
State of Missouri } On writ of Error

Now at this day come the parties aforesaid by their respective attornies, and the Court not being yet advised what judgment to give in the premises take further time to deliberate thereon.

Cornelius Davis
vs
State of Missouri } On writ of Error.

The said plaintiff in Error by his attorney files his assignment of Errors.

William P. Thompson
vs
Cyrus Curtis surviving partner } On Mandamus.

Now at this day comes the said William P. Thompson by his attorney, Whereupon all and singular the premises being by him submitted to the Court here on his brief and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Thomas Rogers
vs
State of Missouri } On writ of Error.

Now at this day comes the plaintiff aforesaid by his attorney and the said defendant in Error having failed to join in Error it is considered and adjudged that the Error aforesaid by the said plaintiff assigned be taken for confessed.

This Entry is expunged. McGirk President of the Court

This Entry is expunged McGirk President of the Court

County of Boone
vs
Robert Corbin } on writ of Error
This cause is ordered to be continued.

The Court then adjourned until tomorrow Morning 9. Oclock.

Friday October 29th 1830.

The Court met pursuant to adjournment.

Waddy T. Currin
vs
John Graves admr &c } on writ of Error

Now at this day come the parties aforesaid by their attornies. Whereupon it appearing to the Court now here that the plaintiff in Error has not given to the defendant in Error or his attorney of Record legal notice of his suing out his said writ. Wherefore the said defendant in Error ought to have judgment of this Court affirming the judgment of the said Circuit court for the County of Howard: It is therefore considered that the judgment aforesaid in form aforesaid given be in all things affirmed: And it is further considered that the said John Graves recover against the said Waddy T. Currin his costs and charges by him about his defence herein laid out and expended.

Waddy T. Currin
vs
John Graves admr &c } The said Waddy T. Currin by his attorney Moves the Court to grant him a Supersedeas.

James E. Fenton
vs
Jesse PerKins } on writ of Error
This cause is ordered to be continued.

Nathaniel Ford
vs
Circuit Court Howard County } on mandamus.
Now at this day come the parties aforesaid by their respective attornies Whereupon all and singular the premises being seen and heard and the Court not being yet advised what judgment to give in the premises takes time to deliberate thereon.

Alexander Evans
vs
John Warden

On motion of the said Alexander Evans by his attorney, and it appearing that an execution issued from the clerk's office of this court on the judgment rendered at the last term thereof has not been fully satisfied: It is ordered that an alias execution issue for the residue of the said judgment.

The Court then adjourned until tomorrow Evening 7. oclock.

Saturday October 30th 1830.

The Court met pursuant to adjournment.

William Campbell & wife
vs
John & Thomas Hardeman

appeal.

Now at this day come the appellants by their attorney and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

County of Boone
vs
Robert Corlew

The plaintiff by attorney files an assignment of Errors by leave of the Court, and the cause is ordered to be continued.

Thomas Rogers
vs
State of Missouri

on writ of Error.

Now at this day come the parties aforesaid by their respective attornies, and the said defendant by Robert W. Wells attorney General files a Joinder in Error. Whereupon as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said plaintiff for error assigned being seen and by the court here fully understood and mature deliberation thereupon had, for that it appears to the Court here that in the Record and proceedings aforesaid and also in giving the judgment aforesaid, it is manifestly erred Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed. Whereupon the said plaintiff moves the court for a writ of restitution, — The consideration of which motion is continued until the next term

Cornelius Davis
vs.
State of Missouri } On Writ of Error.

Now at this day come the parties aforesaid by their respective attornies and the said defendant by her attorney files a Joinder in Error. ~~Whereupon~~ as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said plaintiff for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had: for that it appears to the Court here that in the record and proceedings aforesaid and also in giving the judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed. And ~~thereupon the said plaintiff by his attorney moves the Court for a writ of restitution, the consideration of which motion is continued until the next term~~.

The Court then adjourned until Monday Morning 8. Oclock.

Monday November 1st 1830.

The Court met pursuant to adjournment.

Andrew Johnson
vs.
Hezekiah White } On writ of Error

Now at this day come the parties aforesaid by their respective attornies Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had, for that it appears to the Court here that in the record and proceedings aforesaid and also in giving the Judgment aforesaid it is manifestly erred: Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid

[illegible] annulled and entirely for nothing esteemed
And it is further considered that the said Andrew Johnson recover against the said Hezekiah White his costs and charges by him about the prosecution of his writ of Error in this behalf laid out and expended and the cause is remanded.

Samuel Hays appellant
vs
Zachariah Waller appellee } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon ~~all and singular~~ as well the record and proceedings aforesaid and the judgment thereupon given in the matters aforesaid by the said appellant for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had, for that it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the causes for error above assigned and alleged in any wise Notwithstanding. And it is further considered that the said Zachariah Waller recover against the said Samuel Hays his costs and charges by him about his defence herein laid out and expended.

William P. Thompson
vs
Cyrus Curtis surviving partner &c } On Mandamus.

At this day the return to the writ of Mandamus being seen and heard, the court do consider that the return aforesaid of the Circuit Court is insufficient: and it is further considered that a peremptory Mandamus issue to the said Circuit court for Ray County commanding it to reinstate the cause aforesaid on the docket of said Court and to proceed therein to final Judgment. And it is further considered that the ~~said~~ costs be paid ~~by pay the costs of this~~ proceeding by the said Cyrus Curtis ~~party against whom judgment shall be having~~.

Nathaniel Ford
vs
Circuit Court Howard County } On Mandamus.

At this day the return to

the writ of Mandamus being seen and understood, the court do consider and adjudge that the return aforesaid of the Circuit Court is insufficient. And it is further considered that a peremptory Mandamus issue to the said Circuit Court for the county of Howard commanding it to audit and allow to the said Nathaniel Ford his account against the County of Howard for summoning 12 Witneſses in the case of the State of Miſsouri against Micah Hinch, on behalf of the defendant, in which case the defendant was acquitted. And it is further considered that the County of Howard pay the costs of this proceeding.

Samuel Alexander
vs
Joel H. Haden } On writ of Error

Now at this day come the parties aforesaid by their respective attornies Whereupon as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said plaintiff for error aſsigned being seen and by the Court here fully understood and mature deliberation thereupon had, for that it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the judgment aforesaid for the error aforesaid be reversed annulled and entirely for nothing esteemed. And it is further considered that the said Samuel Alexander recover against the said Joel H. Haden his costs and charges by him about his suit in this behalf laid out and expended. and the cause is remanded to the said Circuit Court.

Waddy T. Currin
vs
John Graves admr &c } On motion for Supersedeas.

Now at this day come the parties aforesaid by their respective attornies aforesaid, and the motion for a supersedeas being seen and heard It is considered by the Court that the motion aforesaid of the said Waddy T. Currin for a supersedeas be overruled.

Hiram Craig
John Moore &
Ephraim Moore
adv.
State of Miſsouri } Now at this day come the parties aforesaid by their attorneys Whereupon the motion aforesaid of the said defendants being seen and considered, It is [illegible] and adjudged that the same be overruled.

[illegible] C. Foster &
Josiah Foster appellants }
vs } On appeal.
Robert Wallace appellee }

And now at this day come the parties aforesaid by their respective attorneys aforesaid. Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said appellants for Error aſsigned being here and by the Court here fully understood and mature deliberation thereupon had, for that it appears to the Court here that in the record and proceedings aforesaid and also in giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed, and it is further considered that the said George C. Foster & Josiah Foster recover against the said Robert Wallace their costs and charges by them about their appeal in this behalf expended. and the cause is remanded for new tri

Note. In this case Judge Wash was absent.

Thomas Hardwick }
vs } Error.
State of Miſsouri }

And now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said plaintiff for aſsigned being here and by the Court here fully understood and mature deliberation thereupon had, for that it appears to the Court here that in the record and proceedings aforesaid and also in giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed: ~~and it~~.

Mr John Anderson makes application to this Court for a License to practice the law in the several courts of Record of this State, and having produced to the court his sufficient testimonials of good moral character &c Whereupon it is ordered that he be admitted to an examination.

Waddy T. Curran
vs } On writ of Error
John Graves admr &c }
This cause is ordered to be continued.

John Anderson Esquire having been examined by the court and found to be well qualified it is ordered that he be licensed to practice law in the several courts of this State.

The Court allow to Gray Bynum an account for office rent from 4th Monday of May 1830, to the 4th Monday of October of the same year amounting to twenty dollars.

The Court allow to Nathaniel Ford an account against the State for attending this Court and for articles furnished the Court amounting to twelve dollars thirty one and a fourth cents.

The proceedings of this term commences at page 114 and ends at page 122 and contain 9 pages
The Court then adjourned until the next court in course.

M. McGirk President

State of Missouri to wit. On the first Monday of April (it bein the fourth day of said month in the year of our Lord one thousan eight hundred and thirty one, and being the day appointed by law for holding the Supreme Court for the first Judicial District of said State, the Judges thereof not attending at the Court house, the court stood adjourned until tomorrow.

Tuesday April 5th 1831.

At a Supreme Court begun and held for the first Judicial District of the State of Missouri at the town of Fayette in the County of Howard on Tuesday the fifth day of April in the Year of our Lord One thousand eight hundred and thirty one. Were present.

The Hon. Mathias McGirk
George Tompkins &
Robert Wash } Judges of said Court

Nathaniel Ford Sheriff & Gray Bynum clerk.

James Riggs appellant
vs
James E. Fenton appellee } On appeal.

This day comes the said appellant by his attorney and files his assignment of Errors, to which the appellee by his attorney files his joinder in Error.

James E. Fenton
vs
James Harrison & others } on writ of Error

This day come the parties aforesaid by their respective attorneys and thereupon the plaintiff files his assignment of Errors and the defendants their joinder.

James Rutherford
vs
Thomas Winn } on writ of Error

This day come the parties aforesaid by their respective attornys and thereupon the plaintiff files his assignment of Errors and the defendant his Joinder.

Roger P. West appellant
vs
William L. Wayne appellee } on appeal

This day come the parties aforesa by their respective attorneys, and thereupon the appellant files h assignment of Errors and the appellee his Joinder.

Ephraim Snell
vs
Asa Q. Kirby } on writ of Error.

This day come the parties aforesaid by their attorneys and thereupon the plaintiff files his assignment of Errors, and the defendant his joinder in Error. —

The County of Boone
vs
Robert Corlew } on writ of Error.

By consent of the parties by their attorneys the word "allow" is permitted to be inserted in the record

Garrison Patrick
vs
William Hutchison Jr } on writ of Error.

This day come the parties aforesaid by their attorneys and thereupon the plaintiff files his assignment of Errors and the defendant his joinder.

Robert Wash admr &c
vs
Henry Wigginton & others } on writ of Error

This day comes the plaintiff aforesaid by his attorney and files his assignment of Errors.

Francis B. Grubb
vs
George Sexton } on writ of Error

This day come the parties aforesaid by their attorneys and thereupon the plaintiff files his assignment of Errors and the defendant his Joinder in Error.

David Lilly
vs
State of Missouri } on writ of Error

By the consent of the parties by their attorneys the record is amended by inserting these words "The defendant moved the court in arrest of Judgment for insufficiency of the indictment to warrant a judgment of the court upon the verdict rendered."

John Becketts
vs
Samuel Street } on writ of Error

This day come the parties aforesaid by their respective attorneys and thereupon the plaintiff files his assignment of Errors and the defendant his Joinder.

The County of Boone
vs
Robert Corlew } on writ of Error.

The defendant by his attorney this day files his Joinder in Error

James E. Fenton
vs
Josa Perkins } on writ of Error.

This day comes the said defendant by his attorn and files his joinder in Error.

John Whitsell appellant
vs
Thomas Mulky admr &
Polly Carpenter admx
of Wm Carpenter decd. appees } On appeal.

This day comes the said appellant by his attorney and files his assignment of Error.

David Lilly
vs
State of Missouri } on writ of Error

Now at this day come the parties aforesaid by their respective attorneys aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

Asahel Storrs
vs
State of Missouri } on writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow Morning 9. o'clock

Wednesday April 6th 1831.

The Court met pursuant to adjournment.

Mary Ferguson & others
appellants
vs
John R. Pullen & wife
appellees } on appeal.

The appellees by their attorney move the Court to dismiss the appeal and file their reason therefor

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James E. Fenton
vs
James Harrison & Co } on writ of Error.

The plaintiff by his attorney moves th court for leave to amend the writ of Error in this cause by strik out the words "Petition and summons" following immediately aft the words "action of debt, and no objection being made thereto, the sam

Roger P. West appellant
vs
William L. Wayne appee } on appeal.

By consent the appellant files a supplement to the Record in this cause which is to be taken as a part of the same.

Jefferson A. Gates and Talitha Gates his wife appeared in Court and produced a power of attorney by them executed to Daniel Gates of Madison County Kentucky authorizing their said attorney to sell and convey an undivided half of a tract of land lying in the County of Madison and State of Kentucky, therein described, And also to sell and convey all their interest right and title in and to any and all the Negroes of the Estate of James Gates deceased, and to execute Bills of Sale in their name for the same - And severally acknowledged the said power of attorney to be their act and deed for the purposes therein mentioned. She the said Talitha Gates being by the Court here privily examined separate and apart from her said husband and having the said instrument of writing explained to her, She the said Talitha then and there again acknowledged the same and declared that she executed the said power of attorney voluntarily freely and without compulsion or undue influence of her said husband And that she did not wish to retract - Which is ordered to be certified &c

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Thomas Mulky &
Polly Carpenter admrs &c
appellees
ads
John Whitsitt appt } On appeal.

The appellees by their attorney this day file their Joinder in Error

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William Campbell &
Sophia W. Campbell his wife
vs.
Thomas Hardiman &
Charles French admr &c
of John Hardiman decd } On appeal.

Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the court not being yet advised what judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow Morning 8 Oclock.

Monday April

The Court met pursuant to adjournment.

Asahel Storrs
vs
State of Missouri } on writ of Error

And now at this day come again into the supreme Court here the parties aforesaid by their respective attorneys aforesaid, Whereupon as well the Record and proceedings aforesaid and the Judgment thereupon given in form aforesaid as the Matters aforesaid by the said Asahel Storrs above for error assigned being seen and fully understood by the Court here and mature deliberation thereupon had, for it appears to the Court here that there is No error either in the record and proceedings aforesaid or in the giving Judgment aforesaid. Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and Stand in full force and effect the said causes for error above assigned and alleged in any wise Notwithstanding, and it is further considered that the State of Missouri recover against the said Asahel Storrs the costs herein expended &c and that she have thereof execution.

David Lilly
vs
State of Missouri } on writ of Error

And now at this day come again into the Supreme Court here the parties aforesaid by their respective attorneys aforesaid. Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given in form aforesaid as the matters aforesaid by the said David Lilly above for error assigned being seen and fully understood by the Court here and mature deliberation thereupon had for it appears to the Court here that there is No error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and Stand in full force and effect the said causes for error above assigned and alleged in any wise Notwithstanding. And it is further considered that the State of Missouri recover against the said David Lilly the costs herein expended &c and that she have exe

Mary Ferguson & others
appellants
vs
John R. Pullen & wife
appellees

on appeal.

This day come the parties aforesaid by their respective attorneys aforesaid. Whereupon the motion herein to dismiss the appeal being argued by the counsel and seen and heard by the Court it is considered that the motion be overruled.

James E. Fenton
vs
Jesse Perkins

on writ of Error.

Now at this day come the parties aforesaid by their respective attorneys aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

John Parker & wife
appellants
vs
Squire Davis appee

on appeal.

This cause is continued by consent.

The County of Boone
vs
Robert Corlew

on writ of Error

Now at this day come the parties aforesaid by their respective attorneys aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

David Todd
vs
Joseph Cooper &
Burton Lawless

Motion for Injunction

The said plaintiff by his attorney moves the Court to grant him an Injunction to stay waste pending an action of trespass now pending in Howard circuit court between said parties.

Waddy T. Currin.
vs
John Graves admr. &c
of James Scott decd

On writ of Error.

This day comes the plaintiff by his attorney aforesaid and says that he will not further prosecute his said writ of Error against him the said defendant but voluntarily dismisses the same. Therefore it is considered that the said Waddy T. Currin take nothing by his writ aforesaid against the said John Graves administrator as aforesaid and it is further considered that the said John Graves recover against the said Waddy T. Currin his costs herein expended

vs
Thomas Mulky &
Polly Carpenter admrs
appellees } on appeal

This cause is continued by consent.

James Corbus & others
vs
Moses M. Payne &
Jacob M. Payne } On writ of Error

Now at this day come the said plaintiff by his attorney and says he will not further prosecute his writ of Error aforesaid against the said defendants, but voluntarily dismisses the same. Therefore it is considered that the said plaintiffs in Error take nothing by their said writ and that the said defendants go thereof without day and recover their costs herein expended &c.

The Court then adjourned until tomorrow Morning 9 Oclock.

Friday April 8th 1831.

The Court met pursuant to adjournment

John C. Palmer produced to the Court here satisfactory certificates of good moral character, and applies to the Court for License to practice law in the several courts of this State. Whereupon the Court appoint John Wilson Esquire to examine the said applicant.

John Wilson Esquire who was appointed to examine John C. Palmer Reports that he has examined said applicant and state that he qualified for and intitled to a license as an attorney and counsellor at law. It is thereupon ordered that he be licensed accordingly.

James Reatherford
vs
Thomas Winn } on writ of Error.

Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow Morning 9 Oclock.

Saturday April 9th 1831.

The Court met pursuant to adjournment.

Mary Ferguson & others appellants
vs
John R. Pullen & wife appellees } on appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid, Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

Roger P. West appellant
vs
William L. Wayne appellee } on appeal.

Now at this day come the parties aforesaid by their respective attorneys aforesaid, Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until Monday Morning 9 o'clock.

Monday April 11th 1831.

The Court met pursuant to adjournment.

William Campbell &
Sophia W. Campbell his wife
vs
Thomas Hardeman &
Charles French admrs &c } on appeal.

Now at this day come the parties aforesaid by their respective attorneys aforesaid, and the Court not being yet advised what Judgment to give in the premises take until the next term to deliberate thereon, to which time the cause is continued

Mary Ferguson & others appellants
vs
John R. Pullen & wife appellees } on appeal

Now at this day come again into the Supreme Court here the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings aforesaid and the Decree thereupon given as the matters aforesaid by the said appellants above for error assigned being seen and by the Court here fully understood and mature deliberation [illegible] had for that it appears to the court here that in the record and proceedings aforesaid and also in the giving of the Decree aforesaid it is manifestly erred, Therefore it is considered by the Court here that the Decree aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed: It is also considered by the Court here that the said Mary Ferguson and William Ferguson recover against the said John R. Pullen and Rebecca Pullen their costs and charges by them about their appeal in this behalf laid out and expended, and that they have thereof execution: Whereupon the cause is remanded to the said Circuit Court for the County of Cole for further proceedings in conformity with the decision of this court.

The County of Boone
vs
Robert Corlew
On writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation being thereupon had for it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving Judgment aforesaid. Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in any wise notwithstanding. And it is further considered that the said Robert Corlew recover against the said County of Boone his costs and charges by him about his defence in this behalf laid out and expended, and that he have thereof execution.

James Rutherford
vs
Thomas Winn
On writ of Error

Now at this day come the parties aforesaid by their respective attorneys aforesaid. Whereupon as well the Record and proceedings aforesaid and the Judgment [illegible] given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the [illegible] understood and mature deliberation being thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing returned. And it is also considered by the Court here that the said James Rutherford recover against the said Thomas Weir his costs and charges by him about the prosecution of his said Writ of Error in this behalf laid out and expended and that he have thereof his execution. Whereupon the cause is remanded to the said Circuit Court for the County of Howard for further proceedings in conformity with the opinion of this Court.

Roger P. West appellant
vs
William L. Wayne appellee } On appeal

Now at this day come the parties aforesaid by their respective attorneis aforesaid Whereupon as well the record and proceedings aforesaid and the Decree thereupon given as the matters aforesaid by the said appellant above for error assigned being seen and by the Court here fully understood and mature deliberation being thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Decree aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Decree aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing returned and it is also considered by the Court here that the said Roger P. West recover against the said William L. Wayne his costs and charges by him about his appeal in this behalf laid out and expended and that he have thereof execution. Whereupon the cause is remanded to the said Circuit Court for the County of Randolph for further proceedings in conformity to the opinion of this Court.

[illegible]
Henry Wigginton & others } on writ of Error.

By the consent of the parties by their attorneys the record in this case is amended in the entry of Judgment on the Demurrer to the third plea, and by the like consent the plaintiff in Error files an additional assignment of Error

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Ephraim Snell
vs
Asa Q. Kirby } on writ of Error

Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon all and singular the premises being by them before the court here fully argued and the court not being yet advised what Judgment to give in the premises take time to deliberate thereon

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David Todd
vs
Joseph Cooper &
Burton Lawless } On motion for Injunction.

On motion of the plaintiff by his attorney and by leave of the Court he has permission to withdraw his said motion which is done accordingly. -

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Garrison Patrick
vs
William Hutchison Jr } on writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them before the court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

John Bicketts
vs
Samuel Street } on writ of Error

This cause is continued by consent.

Robert Nash admr. &c
vs
Henry Wigginton & others } on writ of Error.

This cause is continued by consent

Thomas Rogers
vs
State of Missouri } on motion for writ of restitution

This day comes the said Thomas Rogers by his att
and says that he will not further prosecute his motion afor

their writ of [illegible] but voluntarily by [illegible] [illegible] Therefore it is considered that the said plaintiff take nothing by his motion and that the defendant go thereof without day and recover the [illegible] about the defence herein expended &c

The Court then adjourned until tomorrow morning 8. o'clock.

Tuesday April 12th 1831.

The Court met pursuant to adjournment.

Ephraim Snell
vs
Asa Q. Kirby
} on writ of Error.

Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation being thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed And it is also considered by the Court here that the said Ephraim Snell recover against the said Asa Q. Kirby his costs and charges as well in the Circuit Court aforesaid as in this behalf laid out and expended, and that he have thereof his execution &c

James E. Fenton
vs
Jesse Perkins
} on writ of Error.

Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation being thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed: And it is further considered by the court here that the said James E. F [illegible] costs and charges by him about the prosecution of his writ of Error in this behalf laid out and expended and that he have thereof his execution &c. Whereupon the cause is remanded to the said Circuit Court for the County of Boone for further proceedings in conformity with the opinion of this Court.

Francis B. Grubb
vs
George Sexton } On writ of Error

Now at this day come the parties aforesaid by their respective attorneys aforesaid. Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and heard and by the court here fully understood and mature deliberation thereupon had for it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in any wise notwithstanding. And it is further considered that the said Francis B. Grubb have execution against the said George Sexton for his damages costs and charges aforesaid as adjudged unto him in the said Circuit Court for the County of Boone. And it is further considered that the said George Sexton recover against the said Francis B. Grubb his costs and charges by him about his defence in this behalf laid out and expended.

James Riggs
appellant
vs
James E. Pinton
appellee } On appeal.

Now at this day come the parties aforesaid by their respective attorneys aforesaid. Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said appellant above for error assigned being seen and heard and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that there is no error either in the record and proceedings [illegible] in the giving the Judgment aforesaid. Theref it is considered by the Court here that the Judgment aforesaid in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above aſsigned and alleged in any wise Notwithstanding: and it is further considered that the said James E. Fenton have his execution against the said James Riggs as well for his damages costs and charges aforesaid as adjudged unto him in the said Circuit Court for the County of Boone, as his costs and charges by him in this behalf laid out and expended.

James E. Fenton
vs
James Harrison
James Roſs &
James Glasgow

On writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error aſsigned being seen and heard and by the court here fully understood and mature deliberation thereupon had for it appears to the court here that there is no error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered by the court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect, the said causes for error above aſsigned and alleged in any wise Notwithstanding. And it is further considered that the said James Harrison James Roſs and James Glasgow have execution against the said James E. Fenton as well for their debt damages costs and charges aforesaid as adjudged unto them in the said Circuit Court for the County of Boone as his costs and charges by him in this behalf laid out & expended.

Harrison Patrick
vs
William Hutchison Jr

On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid, and the court not being yet advised what Judgment to give in the premises take until the next term to deliberate thereon until which time this cause is ordered to be continued.

vs } on writ of Error.
William Hutchison Jr } This day come the parties aforesaid by their respective attornies aforesaid Whereupon the said plaintiff by his attorney moves the Court to grant him a Supersedeas on the Judgment of the Howard Circuit Court: Whereupon all and singular the premises being seen and heard and by the Court here fully understood, it is considered that the writ of Error issued herein be made a Supersedeas on the Judgment aforesaid and that the same be obeyed accordingly. Whereupon William Taylor and Elijah Whitten present here in Court jointly and severally acknowledge themselves indebted to the said William Hutchison Junr. in the sum of three hundred dollars to be levied of their respective goods and chattels lands and tenements, but to be void on condition that the said Harrison Patrick shall prosecute his said writ of Error with effect pay and satisfy the condemnation money and all costs or otherwise abide the Judgment of this court in this case. The said security being approved of as sufficient. And it is ordered that the clerk of this court indorse on the said writ of Error that it shall be a Supersedeas and obeyed as such accordingly.

James Riggs appellant
vs } on appeal.
James E. Fenton appellee } On motion of the appellant by his attorney it is ordered that the clerk of this court retax the costs of the Transcript in this case as improperly made out and charged by the clerk of the Circuit court for the County of Boone.

The Court allow to Gray Bynum his account against the State for office rent from 4th Monday of October 1830 to 2nd Monday of April 1831. the sum of twenty two dollars, which is ordered to be certified to the Auditor of public accounts for payment.

The Court also allow to Nathaniel Ford his account against the State for his attendance on this Court during the present term and for Stationary &c furnished the court, the sum of seventeen dollars eighty seven and a half cents, which is ordered to be certified to the Auditor of public accounts.

The Court then adjourned until the next court in course

The proceedings of this term commence at page 123. and end at page 137. and contain fifteen pages.

M McGirk president of the Court

State of Missouri towit: On the first Monday of December (it being the fifth day of said Month) in the year of our Lord one thousand eight hundred and thirty one, and being the day appointed by law for holding the Supreme Court for the first Judicial District of said State, the Judges thereof not attending at the Court house, the Court stood adjourned until tomorrow.

Tuesday December 6th. 1831.

At a Supreme Court begun and held for the first Judicial District of the State of Missouri at the town of Fayette in the County of Howard on Tuesday the sixth day of December in the year of our Lord one thousand eight hundred and thirty one

Were present The Hon. Mathias McGirk
George Tompkins } Judges of said
& Robert Wash } Court.

Nathaniel Ford Sheriff & Gray Bynum clerk.

State of Missouri
use of Ephraim Snell
vs
William Reynolds
& others } On writ of Error.

This day comes the said Ephraim Snell by his attorney and files his assignment of Errors.

Edward D. Vest
vs
George W. Green } In Error.

The plaintiff by his attorney files his assignment of Errors.

John W. Magers
vs
Jones Hoy } In Error

The plaintiff by his attorney files his

[illegible]
vs
Wm P. Thompson } on writ of Error.
The plaintiff by his attorney files his aſsignment of Error.

Gregory & Hillick
ads
Town of Fayette } on appeal.
The said appellants by their attorney file their aſsignment of Errors.

Reuben B. Harris
vs
Joseph S. Anderson } on writ of Error.
The plaintiff by his attorney files his aſsignment of Errors.

John H. H. Miller
vs
Oliver L. G. Brown } on appeal.
The appellant by his attorney files his aſsignment of Errors.

John Parker & wife
vs
Squire Davis } on appeal.
The appellee by his attorney joins in

William Moore
vs
John W. Price } on writ of Error.

Richard Gentry
vs
William L. Smith } on writ of Error.
The plaintiff by his attorney files his aſsignment of Errors.

Sam Samuels
vs
State of Miſsouri } on writ of Error.
The plaintiff by his attorney files his aſsignment of Errors.

Archibald W. Turner Esquire produced to the Court his satisfactory evidence of good Moral character and that he has been admitted as an Attorney and counsellor at law in the State of Kentucky: It is thereupon ordered that he be admitted to an examination.

Archibald M. Turner Esquire having been examined by the Court and found well qualified, It is ordered that he be licensed to practice law in the several Courts of record in this State

John Parker & wife
vs
Squire Davis } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued, and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow Morning 9. Oclock.

Wednesday December 7th 1831.

The Court met pursuant to adjournment.

Garrison Patrick
vs
William Hutchison Jr } In Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued, and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Jonas Hoy
adv
John M. Myers } In Error

The defendant by his attorney files his Joinder in Error.

James R Abernathy Esquire produced to the court here a certificate of good Moral character and applies for License to practice law. Whereupon the Court appoint Messrs Gordon & King to examine said applicant who report to the Court here that they find him qualified to practice law. And thereupon it is ordered that he be licensed accordingly.

Town of Fayette
vs
Gregory & Hillock } on appeal
The appellee by attorney joins in Error

George W. Strain
ads
Edward D. West } In Error
The defendant by attorney joins in Error

William P. Thompson
ads
Cyrus Curtis } In Error.
The defendant by his attorney joins in Error.

William L. Smith
ads
Richard Gentry } In Error
The defendant by his attorney Joins in error.

Oliver L. G. Brown
ads
John H. H. Miller } On appeal.
The appellee by his attorney Joins in error.

John Becketts
vs
Samuel Street } On writ of Error.
Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the court here fully argued, and the court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

Joseph S. Anderson
ads
Reuben B. Harris } On writ of Error.
The defendant by his attorney Joins in Error.

The Court then adjourned till tomorrow Morning 10 oclock

Thursday December 8th 1831.

The Court met pursuant to adjournment

John Parker & wife appellants
vs } on appeal
Squire Davis appellee

Now at this day come again into the Supreme Court here the parties aforesaid by their respective attornies aforesaid. Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said appellants above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the records and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed, and it is also considered by the Court here that the said John Parker recover against the said Squire Davis his costs and charges by him about his appeal in this behalf laid out and expended. And that he have thereof execution &c. Whereupon the cause is remanded to the said Circuit Court for the County of Boone for further proceedings.

William Reynolds & others
ads } On writ of Error
State of Missouri use of
Ephraim Snell

The defendants by their attorney join in Error.

Sam Samuels
vs } on writ of Error
State of Missouri

The defendant in Error moves the Court for a continuance of this cause and files reasons therefor, which motion being argued by the counsel is withdrawn by the defendants attorney who thereupon join in Error

The Court then adjourned until tomorrow Morning 10 O'clock.

Friday December 9th 1831.

The Court met pursuant to adjournment.

Garrison Patrick
vs } In Error.
William Hutchison Jr

Now at this day come the Parties

appeared by their respective attorneys aforesaid. Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given in the matter aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the records and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the records and proceedings aforesaid be reversed annulled and entirely for nothing esteemed And it is further considered by the Court here that the said Garrison Patrick recover against the said William Hutchison Jr his costs and charges by him about the prosecution of his writ of Error in this behalf laid out and expended and that he have thereof execution &c. Whereupon the cause is remanded to the said Circuit Court for the County of Howard for further proceedings in conformity with the decision of this Court.

William Shaw
vs
Ephraim Snell } Motion for Supersedeas

This day comes the said Ephraim Snell by his attorney and produces to the Court here a Transcript of the Record of the Circuit Court for the County of Randolph in the above cause, and moves the Court to grant him a Supersedeas herein and the Court having inspected the record in said cause do consider and order that the writ of Error issued herein be made a Supersedeas on the Judgment of said Circuit court in said cause, and that the same be obeyed accordingly. Whereupon the said Ephraim Snell and Thompson Toland his security both present here in Court jointly and severally acknowledge themselves indebted to the said William Shaw in the sum of twenty five dollars to be levied of their respective goods and chattels lands and tenements, but to be void on condition that the said Ephraim Snell shall prosecute his said writ of Error with effect, pay and satisfy the condemnation money and all costs or otherwise abide the Judgment of this court in this cause; the said Security being being approved of as sufficient. And thereupon it is ordered that the clerk of this court endorse on the said writ of Error that it shall be a Supersedeas and obeyed as such accordingly

Sam Samuels
vs } on writ of Error
State of Missouri } Now at this day come the parties aforesaid by their attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow Morning 10. o'clock.

Saturday December 10th 1831.

The Court met pursuant to adjournment.

George Craig
ads.
Thomas H. Benton } The defendant Craig by his attorney moves the Court to discharge the order for a supersedeas granted by one of the Judges of this Court in vacation; and files his reasons therefor.

William Campbell & wife
vs } on appeal
John & Thomas Hardeman } This day come the parties aforesaid by their respective attornies aforesaid, and the Court not being yet advised what Judgment to give in the premises take until the next term to deliberate thereon, until which time the cause is ordered to be continued.

John Whitsett appellant
vs } on appeal
Thomas Mulky &
Polly Carpenter admrs &c. appees } Now at this day come the parties aforesaid by their respective attornies aforesaid, Whereupon all and singular the premises being by them before the court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

James Shepherd
vs } on Motion Ex parte.
John J. Lowry } At this day appears James Shepherd by his attorney and files his affidavit and petition praying this Court to issue a writ of Quo Warranto to John J. Lowry to show why he he exercises the franchises of the office of Receiver of public monies to be received on account of the sales of the Saline lands, which

~~Motion~~ is ordered to be continued until the next term.

The Court then adjourned until Monday Morning 10. O'clock.

Monday December 12th 1831.

The Court met pursuant to adjournment.

John Becketts
vs
Samuel Streets } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleg in any wise Notwithstanding. And it is further consider that the said Samuel Streets recover against the said John Becketts his costs and charges by him about his defence in this behalf laid out and expended, and that he have thereof execution &c.

Sam. Samuels
vs
State of Missouri } On writ of Error.

Now at this day come the parties aforesa by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupo had, for it appears to the Court here that there is no err either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect, the said causes for error above assig and alleged in any wise notwithstanding. And it is further considered that the State of Miſsouri recover against the said Sam Samuels her costs and charges about the defence herein laid out and expended, and that she have thereof execution &c

John Whitsett appellant
vs
Thomas Mulkey administrator
& Polly Carpenter administratrix
of William Carpenter dec.d appellees } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Decree thereupon given in the matters aforesaid by the said appellant above for error aſsigned being seen and by the court here fully understood and mature deliberation thereupon had for it appears to the court here that there is no error either in the record and proceedings aforesaid or in the giving the Decree aforesaid Therefore it is considered by the court here that the decree aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above aſsigned and alleged in any wise notwithstanding. And it is further considered that the said Thomas Mulkey and Polly Carpenter recover against the said John Whitsett their costs and charges as well in the Circuit Court aforesaid as in this behalf about their defence laid out and expended and that they have thereof execution &c

State of Miſsouri
and
Sam. Samuels. } on writ of Error

On motion of the attorney General it is ordered that the clerk of this Court retax the costs of the transcript sent up to this Court in the above cause

State of Miſsouri
vs
Micajah Morris } on writ of Error

On motion of the attorney General it is ordered that an alias writ of Error issue herein returnable to the next term.

James Newberry
vs
Reuben Mellon } on writ of Error. On motion of the plaintiff by his attorney it is ordered that an alias writ issue herein returnable to the next term.

James Sipple &
Martin Sipple
vs
Jonathan Duncan } On writ of Error

On motion of the plaintiff by his attorney it is ordered that a writ of Mandamus issue to the Circuit court for the County of Randolph commanding that court to redocket the above cause or to shew cause why the same is not done

Asa Finley
vs
Sanders Townsend } On motion Exparte.

On motion of the said Finley by his attorney it is ordered that a writ of Mandamus issue to the Circuit court for the County of Saline commanding that court to redocket the above cause, or to shew cause why the same is not done.

George Craig
vs
Thomas H. Benton } On motion to discharge order for Supersedeas.

ordered that this motion be overruled.

It is ordered by the Court that all causes on the Docket at the present term and which have not been decided for want of time, be and stand continued until the next term.

The Court allow to Gray Bynum his account against the Stat for office rent from the second Monday of April 1831 to the second Monday of December 1831, the sum of thirty two dollar

The Court allow to Nathaniel Ford his account against th State for his attendance on the Court during the present term and for Stationary &c furnished the Court the sum of Seven teen dollars thirty one & a fourth cents.

The Court then adjourned until the next court in course.

The proceedings of this term commence at page 138 and end at page 147 and contain ten pages.

Mat McGirk Preside
of the Court

State of Miſsouri to wit

At a Supreme Court begun and held at the town of Fayette in the County of Howard within and for the first Judicial District of the State of Miſsouri on the first Monday of April (it being the second day of said month) in the Year of our Lord One thousand eight hundred and thirty two. Were present The Hon. Mathias McGirk
George Tompkins &
Robert Wash } Judges of said Court. —

Nathaniel Ford Sheriff & Gray Bynum clerk.

William Lewis
vs
Samuel C. Davis } On writ of Error

The plaintiff by his attorney files his aſsignment of Error.

James Dunn &
Presley Samuel
vs
William McNees } On writ of Error.

The plaintiffs by their attorney file their aſsignment of Errors.

Henry alias Henry McCreary
vs
Benjamin McCreary } On writ of Error.

The plaintiff by his attorney files his aſsignment of Errors.

Robert Wash
vs
George S. Foster &
Josiah Foster } On writ of Error.

The plaintiff by his attorney files his aſsignment of Errors.

James Sipple &
Martin Sipple
vs
Jonathan Duncan
by his next friend } On writ of Error

The plaintiffs by their attorney file their aſsignment of Errors.

William Smith who sues &c.
vs
Benjamin Hardin } On writ of Error

The plaintiff by his attorney files his aſsignment of Errors.

The Court then adjourned until tomorrow Morning 8 Oclock.

Tuesday April 3rd 1832

The Court met pursuant to adjournment.

State of Missouri
use of Ephraim Snell
vs
William Reynolds & others } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

Thomas H. Benton
vs
George Craig } On writ of Error.

The plaintiff by his attorney files his assignment of Errors.

Ephraim Snell
vs
William Shain } On writ of Error & Supersedeas.

Now at this day comes the said William Shai by his attorney and moves the Court to dismiss the cause and discharge the Supersedeas granted herein for the want of du notice to him of the bringing up the cause from the Court below. Whereupon all and singular the premises being seen and heard and fully understood, it is considered by the Court here that the said Ephraim Snell take nothing by his writ aforesaid and that the said William Shain go theref without day &c. And it is also considered that the Supersed granted herein at the last term be discharged and held for naught: and it is further considered that the said William Shain recover against the said Ephraim Snell his costs and charges by him about his defence herein laid out and expended &c

Robert Wash admr &c
vs
Henry Wigginton
& others } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid, and the Honorable Robert Wash being interested in the cause retired from the Bench. Whereupon all and singular the premises being by them before the Court here fully argued and the court not being yet advised what judgment to give in the premises take time t

Samuel Huddleson
vs
Edmund S. Field } Error

The plaintiff by his attorney files his aſsignment of Error.

Richard Gentry
vs
William L. Smith } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Samuel Huddleson
vs
Edmund S. Field } Error

Now at this day come the parties aforesaid by their respective attornies Whereupon all and singular the premises are by them submitted to the Court here upon their briefs, and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

James C. Fenton
vs
Jeſse Perkins } On writ of Error.

The said defendant by his attorney moves the Court to dismiſs this cause Whereupon it appearing to the Court that the defendant has not had due notice, and by consent of the parties the cause is continued till next term.

The Court then adjourned until tomorrow Morning 8 O'clock

Wednesday April 4th 1832

The Court met pursuant to adjournment.

James Sipple &
Martin Sipple
vs
Jonathan Duncan
by his next friends } On writ of Error.

The defendant by his attorney moves the Court to dismiſs the Suit for want of notice.

State of Miſsouri
vs
Micajah Morris } On writ of Error.

On motion of the attorney General it is ordered that an alias writ of Error iſsue herein returnable to the next term.

James Newbury
vs
Reuben Mellon } on writ of Error.

On motion of the plaintiff by his attorney it is ordered that an alias writ issue herein returnable to the next term

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Reuben B. Harris
vs
Joseph S. Anderson } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Thomas H. Benton
vs
George Craig } On writ of Error

The defendant by his attorney moves the Court to dismiss this suit for want of Notice

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Parley Samuel &
James Dunn
vs
William McNees } On writ of Error

The defendant by his attorney files his joinder in Error.

The Court then adjourned until tomorrow morning 8 Oclock

Thursday April 5th 1832

The Court met pursuant to adjournment.

Sellick & Gregory
vs
Town of Fayette } On appeal

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow Morning 9 Oclock.

Friday April 6th 1832

The Court met pursuant to adjournment.

Samuel Hudson
vs
Edmund S. Field } Error.

Now at this day come the parties afore

by their respective attornies aforesaid Whereupon as well the re
and proceedings aforesaid and the Judgment thereupon given in the
matter aforesaid by the said plaintiff above for error aſsigned
being seen and by the Court here fully understood and mature
deliberation thereupon had for it appears to the Court here
that there is No error either in the records and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is
considered by the Court here that the Judgment aforesaid given
in form aforesaid be in all things affirmed and Stand in
full force and effect, the said causes for error above aſsigned
and alleged in any wise Notwithstanding, and it is further
considered that the said Edmund S. Field recover against
the said Samuel Hudleson his costs and charges by him about
his defence in this behalf laid out and expended, and that he
have thereof execution &c.

State of Miſsouri
use of Ephraim Snell
vs
William Reynolds
Jonah H. Shepherd &
James Shepherd.

On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the records and proceedings aforesaid and the Judgment thereupon given in the matter aforesaid by the said plaintiff above for error aſsigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that there is No error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and Stand in full force and effect the said causes for error above aſsigned and alleged in any wise Notwithstanding And it is further considered that the said William Reynolds Jonah H. Shepherd and James Shepherd recover against the said Ephraim Snell their costs and charges by them about their defence laid out and expended, and that they have thereof execution &c.

Reuben B Harris
vs
Joseph S. Anderson

On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the [illegible] proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in any wise notwithstanding. And it is further considered that the said Joseph S. Anderson recover against the said Reuben B. Harris his costs and charges by him about his defence in this behalf laid out and expended, And that he have thereof execution &c.

Richard Gentry
vs
William L. Smith } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed, and it is further considered by the Court here that the said Richard Gentry recover against the said William L. Smith his costs and charges by him about the prosecution of his writ of Error in this behalf laid out and expended: Whereupon the cause is remanded to the said Circuit court for the County of Howard for further proceedings, with instructions to that court to overrule the demurrer and to proceed with the cause.

William Moore
vs
John M. Price } On writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid: Whereupon as well the [illegible] and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed, and it is further considered by the Court here that the said William Moore recover against the said John W. Price his costs and charges by him about the prosecution of his writ of Error in this behalf laid out and expended, and that he have thereof execution &c. Whereupon the cause is remanded to the said Circuit Court for the County of Howard for further proceedings with instructions to that Court to overrule the demurrer and to proceed with the cause.

George C. Sibley
vs
Robert Hood } On appeal.

The appellant by his attorney files his assignment of Error and the appellee his joinder in Error

John H. H. Miller
vs
Oliver L. G. Brown } appeal

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Thomas H. Benton
vs
George Craig } On writ of Error

The defendant by his attorney withdraws his motion to dismiss for want of notice.

The Court then adjourned until tomorrow Morning 9 O'clock

Saturday April 9th 1832

The Court met pursuant to adjournment.

Robert Wash administrator &c
of Charles Simmons
vs
Henry Wigginton &
John Wigginton

On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for Nothing esteemed. And it is further considered by the Court here that the said Robert Wash recover against the said Henry Wigginton and John Wigginton his costs and charges by him about the prosecution of his writ of Error in this behalf laid out and expended and that he have thereof execution. Whereupon the cause is remanded to the said Circuit Court for the County of Howard for further proceedings.

Thomas H. Benton
vs
George Craig

on writ Error

The defendant by his attorney joins in err

State of Miſsouri
vs
Jim a Slave

The defendant by his counsel files a Transcript of this cause and moves the Court to grant him a Supersedeas and writ of Error.

The Court then adjourned until Monday Morning 9. oclock

Monday April 9. 1832.

The Court met pursuant to adjournment.

Isaac Martin
vs
William S. Miller } On appeal.

The appellant by his attorney files his assignment of Error and the appellee his Joinder in Error.

Benjamin Harden
ads
William Smith } In Error.

The defendant by his attorney files his joinder in Error.

George C. Sibley
vs
Robert Hood } Appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises takes time to deliberate thereon.

James Sipple &
Martin Sipple
vs
Jonathan Duncan
by his next friend } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon the motion of the defendant to dismiss this cause for the want of Notice being seen and heard, it is considered by the Court that said motion be overruled.

The Court then adjourned until tomorrow Morning 9 O'clock.

Tuesday April 10th 1832.

The Court met pursuant to adjournment.

Asa Finley
vs
Sanders Townsend } On Mandamus to Saline Circuit court.

The said Asa Finley this day files his petition nunc pro [illegible] of the last term, of Missouri

Jim a Slave } On application for Supersedeas & writ of Er

Now at this day come the parties aforesai by their respective attornies Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

John H. H. Miller
vs
Oliver L. G. Brown } Appeal

Now at this day come again into Court here the parties aforesaid by their respective attornies aforesaid and the Court not being yet advised what Judgment to give in the premises take until the next term to deliberate thereon, until which time the cause is ordered to be continued.

Nathaniel Ford
vs
Howard Circuit Court } On motion for Mandamus

The said Nathaniel Ford this day files his affidavit and moves the Court to grant a rule upon the Judge of the Howard Circuit Court to show cause why a Mandamus shall not be awarded against him requiring him to audit and allow his account for services rendered in ~~said~~ ~~[illegible]~~ executing the Judgment of said Court upon Jacob Stewart and Hampton a slave who were severally convicted for Murder.

Edward D. West
vs
George W. Green } On writ of Error

Now at this day come the parties aforesai by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

Cyrus Curtis
vs
William P. Thompson } On writ of Error.

Now at this day comes the said Cyrus Curtis by his attorney and says that he will not further prosecute his writ of Error aforesaid against him the William P Thompson but voluntarily dismisses the same. — It is therefore considered by the Court here that the said Cyrus Curtis take nothing by his writ aforesaid and that the said William P. Thompson go thereof without day: and it is further considered that the said William P. Thompson recover against the said Cyrus Curtis his costs and charges by him about his defence in this behalf laid out and expended, and that he have thereof execution &c.

John W. Myers
vs } On writ of Error
James Hoy

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

Asa Finley
vs } On Mandamus to Saline Circuit Court.
Sanders Townsend

On motion of the said Asa Finley by his attorney an alias writ of Mandamus is awarded him in this case, upon his paying all costs heretofore incurred upon the original writ.

John Whitsell
vs } Appeal
Polly Carpenter & others

Upon the motion of the said Whitsell by his attorney it is ordered that the Clerk of this Court relax the costs of the clerk of the Circuit Court of Lafayette County.

James Shepherd
vs } On writ of Quo Warranto.
John J. Lowry

This day comes the said plaintiff by his attorney and says he will not further prosecute his writ aforesaid against the said defendant but voluntarily dismisses the same: It is therefore considered by the Court here that the said James Shepherd take nothing by his said writ and that the said John J. Lowry go thereof without day and recover his costs herein expended &c.

[illegible] and then adjourned until tomorrow Morning 9 o'cl

Wednesday April 11th 1832.

The Court met pursuant to adjournment.

State of Missouri
vs
Jim a Slave } On motion for Supersedeas & writ of Error

Now at this day come the parties aforesaid by their respective attornies Whereupon all and singular the premises being seen and heard and by the Court here fully understood and mature deliberation thereupon had. It is considered by the Court here that the said Jim have his writ of Supersedeas directed to the Howard Circuit court & its officers that they utterly forbear and surcease to execute the sentence of death upon him the said Jim in pursuance of the Judgment of the said Circuit Court of Howard County, and that he also have his writ of Error.

Edward D. Vest
vs
George W. Green } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and heard and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the Record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the Record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed and it is further considered that the said Edward D. Vest recover against the said George W. Green his costs and charges by him about the prosecution of his writ of Error in this behalf laid out and expended and that he have thereof execution &c. Whereupon the cause is remanded to the said Circuit Court for the County of Randolph for further proceeding.

Polly Carpenter & others
and
John Whitsitt. } Upon the motion of the said Carpenter & others by their attorney it is ordered that the clerk of this Court retax the costs in this case taxed up by the clerk of Lafayette Circuit Court and to allow to the attorney for them his legal fees in said cause.

Thomas H. Benton
vs
George Craig. } On writ of Error
Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and heard and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed And it is further considered by the Court here that the said Thomas H. Benton recover against the said George Craig his costs and charges by him about the prosecution of his writ of Error in this behalf laid out and expended, and that he have thereof execution &c and also for his costs in the circuit court.

Ephraim Snell
vs
William Shaw } In Error
The plaintiff in Error presents to the court here a transcript of the Record in this cause and Moves the Court to grant him a Supersedeas.

Isaac Martin Appellant
vs
William S. Miller Appellee } On appeal
Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

ourt then adjourned until tomorrow Morning 8. o'cl

Thursday April 12th 1832.

The Court met pursuant to adjournment. Judge McGirk abs

John W. Myers
vs
Jones Hoy } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon as well the record and proceedings aforesaid and the judgment thereupon given in the Matters aforesaid by the said plaintiff above for error assigned being seen and heard and by the court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is Manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed. And it is further considered by the Court here that the said John W. Myers recover against the said Jones Hoy his costs and charges by him about the prosecution of his writ of Error in this behalf laid out and expended, and that he have thereof execution &c. Whereupon the cause is remanded to the said Circuit Court for the County of Howard for further proceedings.

Isaac Sellick & Spencer Gregory
vs
The Inhabitants of the town of Fayette } On appeal.

Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given in the matters aforesaid by the said appellants above for error assigned being seen and heard and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the records and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed. And it is further considered by the Court here that the said Isaac Sellick and Spencer Gregory recover against the Inhabitants of the town of Fayette as well their costs and charges in the Circuit Court aforesaid as about their appeal in this behalf laid out and expended and that they have thereof execution &c

George C. Sibley
vs
Robert Hood } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon until the next term of this Court, to which time the cause is ordered to be continued.

Isaac Martin
vs
William S. Miller } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid And the Court not being yet advised what Judgment to give in the premises, do order that the cause be continued until the next term for further argument.

Ephraim Snell
vs
William Shain } On motion for Supersedeas.

Now at this day come the parties aforesaid by their respective attorneys whereupon the motion aforesaid for a Supersedeas being seen and heard and by the Court here fully understood it is considered by the Court that the said motion be overruled.

Nathaniel Ford
vs
Howard Circuit Court } On motion for Mandamus

Upon consideration of said motion it is ordered that the clerk of this Court issue a writ of Mandamus to said circuit court in the alternative returnable to the next [illegible]

Presley Samuel &
James Dunn
vs
William McNees } On writ of Error.

Now at this day come the parties aforesai by their respective attornies aforesaid, Whe upon all and singular the premises are by them submitted t the Court upon their briefs.

The Court allow to Nathaniel Ford Sheriff of Howard Count his account against the State for attending on Court during th present term and for fire wood, Stationary &c furnished the Court, amounting to the sum of twenty four dollars 37 cents, which is certified as allowed by the Court.

The Court allow to Gray Bynum clerk of this Court his accoun against the State for Office rent from the 2nd Monday of Dece ber 1831 to the 2nd Monday of April 1832, amounting to the sum of Sixteen dollars, which is certified as allowed by the Cour

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Presley Samuel &
James Dunn
vs
William McNees } On writ of Error

And now at this day come again int the Supreme Court here the parties aforesai by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the Matters aforesaid by the said plaintiffs above for error assigned being seen and heard and by the Court here fully understood and Mature deliberation thereupon had for it appears to the Court here that there is no error, either in the record & proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered by the Court here that the judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in any wise Notwithstanding: And it is further considered that the said William McNees recover against the said Presley Samuel and James Dunn his costs and charges by him about his defen in this behalf laid out and expended, and that he have there execution &c

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Henry alias Henry McCreary
vs
[illegible] } On writ of Error. Now at thi

come the parties aforesaid by their respective attornies aforesai upon as well the record and proceedings aforesaid and the judgm thereupon given as the matters aforesaid by the said plaintiff above above for error assigned being seen and heard and by the court here fully understood and mature deliberation thereupon had for it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered by the Court here that the judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in any wise notwithstanding.

It is ordered that all causes on the docket at the present term and which have not been decided for want of time, and all causes under advisement, stand continued until the next term.

The proceedings of this term commence at page 148. and end at page 164 and contain seventeen pages.

The Court then adjourned until next court in course.

George Tompkins
president of the court pro tem.

State of Missouri towit. At a Supreme Court begun and held at the town of Fayette in the County of Howard within and for the first Judicial District of said State on the first Monday of December (it being the third day of said Month) in the year of our Lord one thousand eight hundred and thirty two. Were present The Hon. Mathias McGirk
George Tompkins &
Robert Wash } Judges of said Court

Alfred W. Morrison Sheriff & Gray Bynum clerk.

Whereupon the Court was opened by proclamation.

The Court then adjourned until tomorrow Morning 9 Oclock

Tuesday December 4th 1832.

The Court met pursuant to adjournment.

Peyton Nowlin appellee
vs
George S. Foster &
Josiah Foster appellants } Appeal
The appellee by his counsel files his motion to dismiss the appeal.

John Clendennon
vs
Susanna Paulsel } appeal
The appellant by his counsel files his assignment of Error

Edward D. Vest
vs
George W. Green } on writ of Error.
The plaintiff by his counsel files his assignment of Error, and the defendant joins in Error.

Ramsey R. Scogin
vs
Thomas J. Hedspeth } appeal.
The appellant by his counsel files his assignment of Error, and the appellee joins in

Daniel H. Powell
vs
Mary Simpson } Error. The plaintiff by his counsel files his assignment of Errors.

George W. Himes
vs
Adam Bradford } appeal. The appellant by his counsel files his assignment of Errors.

George W. Himes
vs
Alexander McKinney } appeal. The appellant by his counsel files his assignment of Errors.

Alexander McKinney
ads
George W. Himes } Appeal The appellee by his counsel files his motion to dismiss the appeal

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State of Missouri
vs
James Wilson } on writ of Error. The plaintiff by her counsel files her assignment of Errors

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James Newberry
vs
Reuben Melton } on writ of Error. This day come the said plaintiff by his counsel and files his assignment of Errors, and the defendant by his counsel joins in error. Whereupon all and singular the premises being by them before the Court now here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

William Campbell & wife
vs
Thomas Hardeman &
Charles French admrs &c } On appeal. Now at this day come the

parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being now here before Court further argued, and the court not being yet advised what Judgment to give in the premises take further time to deliberate thereon.

State of Missouri
vs } on writ of Error.
Micajah Morris

Now at this day comes the plaintiff aforesaid by her counsel and files her assignment of Error, and the cause being called the defendant fails to appear and made default, and it appearing to the Court that the defendant had due notice of the writ of Error herein, it is ordered by the Court that the plaintiff enter a Joinder of error, which is done accordingly. Whereupon all and singular the premises being by the plaintiff before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises, take time to deliberate thereon.

Jim a Slave
vs } on writ of Error.
the State of Missouri

The plaintiff by his counsel files his assignment of Error.

John Breeding
vs } On appeal.
George I. Winn &
Samuel Alexander

The appellant by his counsel files his assignment of error.

John H. H. Miller
vs } appeal.
Oliver L. G. Brown

Now at this day come again into the Supreme Court here the parties aforesaid by their respective attornies aforesaid and the cause having been heretofore argued before the Court here the same is submitted and the Court not being yet advised, take further time to deliberate thereon.

George C. Sibley
vs
Robert Hord } appeal.

Now at this day come again into Court here the parties aforesaid by their respective attornies aforesaid and the cause having been heretofore argued before the Court here, the same is submitted, and the Court take further time to deliberate thereon.

James Sipple &
Martin Sipple
vs
Jonathan Duncan
by his next friend } On writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

Robert Wash
vs
George S. Foster &
Josiah Foster } On writ of Error.

This day come the parties aforesaid by their respective attornies aforesaid, and the Honorable Robert Wash being a party and interested in the suit retired from the Bench: Whereupon the said defendants by their counsel suggest to the Court here a diminution of the Record, and move the Court here for a writ of Certiorari directed to the Circuit Court of Boone County requiring it fully to certify up said record in said cause.

The Court then adjourned until tomorrow Morning 9 o'clock

Wednesday December 5th 1832.

The Court met pursuant to adjournment.

Robert Wash
vs
George S & Josiah Foster } On writ of Error.

This day come the parties aforesaid by

respective attorneys aforesaid, and the Honorable Ro
Wash being interested in the suit retired from the Bench.
Whereupon the plaintiff by his attorney files his motion and moves the Court to take the errors assigned by him for confessed. And thereupon all and singular the premises upon said Motion being seen and heard and by the Court here fully understood, it is considered ordered and adjudged that the errors aforesaid by the said plaintiff in form aforesaid assigned be taken for confessed and the cause set for hearing exparte. Whereupon all and singular the premises upon the errors aforesaid being now before the Court here by the plaintiff fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

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Peyton Nowlin appellee
vs
George S. Foster &
Josiah Foster appellants } On appeal.

Now at this day come the parties aforesaid by their respective attorneys aforesaid, and Judge Wash having an interest in a cause involving the same points as in this case, retired from the Bench Whereupon the appellee by his attorney files his motion and moves the Court to affirm the Judgment of the Circuit Court rendered in said cause: Which motion being seen and heard and fully argued, the same is withdrawn

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Richard R. Rees and James Carney Esquires severally made application to this Court for License to practice law in the several Courts of this State and produced evidence of their good Moral character, and having been examined by the Judges of this Court and being found duly qualified it is ordered that they severally be licensed to practice law in the several Courts of this State, which license are now here signed, and each of them took the oaths prescribed by law.

George W. Himes appt
vs
Alexander McKinney } Appeal. On motion to dismiſs.
appee

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises upon the motion aforesaid being seen and heard and now before the Court here fully argued, it is considered by the Court here that the motion aforesaid be sustained. Therefore it is ordered and adjudged that the appeal aforesaid of the said appellant be dismiſsed: and it is further considered by the Court here that the said Alexander McKinney recover against the said George W. Himes his costs and charges by him about his defence in this behalf laid out and expended and that he have thereof execution.

Isaac Martin appellant
vs
William S. Miller appellee } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all singular the premises are by them submitted to the Court, and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

William Smith, who sues &c
vs
Benjamin Hardin } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon the said plaintiff by his attorney aforesaid says he will not further prosecute his writ aforesaid against the said defendant but voluntarily dismiſses the same: Therefore it is considered that the plaintiff aforesaid take nothing by his said writ, and that the defendant go thereof without day &c and it is further considered by the Court here that the said Benjamin Hardin recover against the said William Smith his costs and charges by him about his defence herein laid out and expended and that he have thereof execution.

State of Missouri
vs
Frederick Fulkerson } on writ of Error.

This cause being called and no person appearing to prosecute the said writ of Error it is ordered by the Court that the said writ of Error be dismissed. Therefore it is considered by the Court here that the plaintiff aforesaid take nothing by the writ aforesaid, and that the said defendant go hence without day.

John Clendennon
vs
Susanna Paulsel } on appeal.

The appellee by her attorney files her motion and moves the Court to dismiss the appeal.

State of Missouri
vs
James Wilson } on writ of Error.

The defendant by his attorney joins in error.

Robert Nash
vs
George S. Foster &
Josiah Foster } on writ of Error.

Now at this day come the parties aforesaid by their respective attorneys aforesaid. Whereupon all and singular the premises upon the motion for a writ of Certiorari to the Circuit Court of Boone County being seen and heard, it is considered by the Court here that the said motion be granted and a writ of Certiorari is awarded accordingly returnable here immediately.

John Clendennon
vs
Susanna Paulsel } on appeal.

This day comes the appellant by his attorney and suggests to the Court here a diminution of the record, and moves for a writ of Certiorari to the Circuit Court of Cole County commanding it to send up here to this Court a true copy of the judgment and proceedings in the cause.

John M. Bell &
Hiram Craig
vs
John L. Scott } On writ of Error

In this case the parties consent to the withdrawal of the record and to the filing a new Record at the next term of this Court until which time the cause is ordered to be continued.

Stephen Brockman
vs
John Thorp } appeal

It being suggested that since the appeal aforesaid was taken the said Stephen Brockman hath departed this life, Charles McLean his administrator makes his appearance and prays to be made a party in this cause which is done accordingly, and the suit is thereupon revived against the said McLean as administrator of the said Brockman, and the cause is ordered to be continued.

The Court then adjourned until tomorrow Morning 9 oclock.

Thursday December 6th 1832.

The Court met pursuant to adjournment.

William Lewis
vs
Samuel C. Davis } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

niel Ford
vs
Howard Circuit Court } On Motion for Mandamus.

On motion of the said Nathaniel Ford by his counsel an alias writ of Mandamus is awarded him to the said Circuit Court of Howard County in the alternative, and the cause is ordered to be continued

Rainey R. Scogin
vs
Thomas J. Hudspeth } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The County of Boone
vs
Roger N. Todd } On writ of Error.

The plaintiff in Error files an assignment of Errors.

The Court then adjourned until tomorrow Morning 9. oclock.

Friday December 7th 1832.

The Court met pursuant to adjournment.

State of Missouri
vs
James Wilson } on writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises, take time to deliberate thereon

Robert Wilson Esquire having produced satisfactory evidence of his good Moral Character and having been examined by the Judges of this Court and being found qualified, he is therefore licensed to practice as an attorney and counsellor at Law in the several Courts of this State, his license is now in Court signed, and he took the oath prescribed by law in open Court.

Daniel H. Powell
vs
Mary Simpson } On writ of Error

Now at this day comes the said defendant by her attorney and files her joinder in Error.

John Clendennon
vs
Susanna Paulsel } on appeal

This day come the parties aforesaid by their respective attornies aforesaid Whereupon the motion herein for a Certiorari to the Circuit Court of Cole County being seen and heard and fully argued, it is considered by the Court here that the same be overruled. And thereupon the motion herein to dismiſs the appeal being seen and heard and fully argued it is considered by the Court here that the motion aforesaid to dismiſs the appeal be sustained and that the appeal aforesaid be dismiſsed. Therefore it is considered by the Court here that the said John Clendennon take nothing by his said appeal: and that the said Susanna Paulsel recover against him her costs and charges by her herein expended. and that she have thereof execution. Whereupon on motion of the appellant he has leave to withdraw the record filed herein.

[illegible] appellee
vs
George L Foster &
Josiah Foster appellants } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid (Whereupon the appellee by his attorney files his motion and moves the Court to dismiss the appeal: (when Judge Walker retired from the Bench) (Which motion being seen and heard and fully argued it is considered that the same be overruled: And thereupon by consent the cause is continued and the parties have leave to withdraw the Record now filed.

Ramsy R. Scogin
vs
Thomas J. Hudspeth } on appeal.

The appellee by his said attorney files his motion to dismiss the appeal for want of an affidavit before the appeal was granted.

Asa Finley
vs
Sanders Townsend } On Mandamus to Saline Circuit Court.

On motion of the said Asa Finley by his attorney a pluries writ of Mandamus is awarded herein, and the cause is continued

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Daniel H Powell
vs
Mary Simpson } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid — Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

George W. Himes
vs.
Adam Bradford } Appeal

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until Monday Morning 9 Oclock.

Monday December 10th 1832.

The Court met pursuant to adjournment.

George W. Himes appellant
vs
Alexander McKinney appellee } Appeal.

On motion of the appellant by his attorney he has leave to withdraw the Record filed in this cause.

James Newberry
vs
Reuben Milton } on writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the Record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had, for it appears to the Court here that there is No error either in the Record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in any wise Notwithstanding. and it is [illegible] considered by the Court here that the said B Melton recover against the said James Newbury his costs and charges by him about his defence in this behalf laid out and expended, and that he have thereof execution.

Ramsey R. Scogin appellant
vs } On appeal.
Thomas J. Hudspeth, appe

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matter aforesaid by the said plaintiff above for error aſsigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that there is no error either in the Record and proceedings aforesaid or in the giving the Judgment aforesaid: Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect, the said causes for error above aſsigned and alleged in any wise notwithstanding: And it is further considered by the Court here that the said Thomas J. Hudspeth recover against the said Ramsey R. Scogin his costs and charges by him about his defence in this behalf laid out and expended, and that he have thereof execution.

State of Miſsouri
vs } on writ of Error.
James Wilson

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error aſsigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the Record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the error aforesaid and others in the Record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed: and it is further considered by the Court here that the said State of Missouri recover against the said James Wilson her costs and charges by her about the prosecution of her writ of Error in this behalf laid out and expended, and that she have thereof execution: Whereupon the cause is remanded to the said Circuit Court for the County of Cooper for further proceedings.

State of Missouri
vs
Micajah Morris } On writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed: and it is further considered by the Court here that the State of Missouri recover against the said Micajah Morris her costs and charges by her about the prosecution of her writ of Error in this behalf laid out and expended and that she have thereof execution. Whereupon the cause is remanded to the said Circuit Court for the County of [illegible] for further proceedings

John H. H. Miller

Oliver L. G. Brown } Appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said appellant above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the error aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed And it is further considered by the Court here that the said John H. H. Miller recover against the said Oliver L. G. Brown his costs and charges by him about his appeal in this behalf laid out and expended, and that he have thereof execution. Whereupon the cause is remanded to the said Circuit Court for the County of Cooper for further proceedings.

Daniel H. Powell
vs
Mary Simpson } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matte being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the Record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed, and it is further considered by the Court here that the said Daniel H. Powell recover against the said Mary Simpson his costs and charges by him about the prosecution of his said writ of Error in this behalf laid out and expended, and that he have thereof execution. Whereupon the cause is remanded to the said Circuit Court for the County of Randolph for further proceedings.

William Lewis
vs
Samuel C. Davis } On writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the records and proceedings aforesaid and the Judgment thereupon given in the matter aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the Record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed, and it is further considered by the Court here that the said William Lewis recover against the said Samuel C. Davis his costs and charges by him about the prosecution of the said writ of Error in this behalf laid out and expended And that he have thereof execution Whereupon the cause is remanded to the said Circuit Court for the County of Randolph for further proceedings

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Isaac Martin appellant
vs
William S. Miller appellee } On appeal.

Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said appellant above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred: Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed: And it is further considered that the said Isaac Martin recover against the said William S. Miller his costs and charges by him about his appeal in this behalf laid out and expended and that he have thereof execution &c. Whereupon the cause is remanded to the said Circuit Court for the County of Howard for further proceedings

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Robert Wash
vs
George S. Foster &
Josiah Foster } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned bei seen and by the Court here fully understood and mature deliberation thereupon had, for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed, and it is further considered by the Court here that the said Robert Marsh recover against the said George S. Foster and Josiah Foster his costs and charges by him about the prosecution of his said writ of Error in this behalf laid out and expended, and that he have thereof execution. Whereupon the cause is remanded to the said Circuit Court for the County of Boone for further proceedings.

William Campbell
& Wife
vs
Charles French admr of
John Hardman dec'd &
Thomas Hardman

On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid. Whereupon as well the record and proceedings aforesaid and the Decree thereupon given as the matters aforesaid by the said appellants above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Decree [illegible] aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Decree aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed: and it is further considered by the Court here that the said William Campbell & wife [illegible] against the said Charles [illegible] and Thomas Ha man their costs and charges by them about their appeal in this behalf laid out and expended and that they have thereof execution to be levied of the goods and chattels of said intestate in the hands of said administrator and of the said Thomas Hardman. Wherefore the cause is remanded to the said Circuit Court for the County of Howard for further proceedings with direction to that Court that they ascertain the rights of the parties and enter up their decree in conformity with the opinion of this Court.

John & Lewis Bumgardner
vs
Howard Circuit Court } On motion for Mandamus.

The said John & Lewis Bumgardner by their attorney file their petition and move the Court for a writ of Mandamus to the Circuit Court for the County of Howard commanding it to grant to the said petitioners a writ of Mandamus to Joseph Sears Esquire commanding him to issue an execution in favour of them against Jesse W. Garner: and on consideration of the said petition it is ordered that a writ of Mandamus issue to the said Circuit Court commanding the said Court to issue the said writ of Mandamus, or that the said Court shew to this Court at the next term thereof the cause why it is not done.

Henry Chiles and John Heard Esquires severally made application to this Court for License to practice law in the several Courts of this State and produced evidence of good Moral character and thereupon they are severally admitted to an examination and the Court appoint John Wilson and Thomas J. Givens Esquires to examine said applicants Whereupon the said examiners report to the Court here that they have examined the said Henry Chiles Esquire and find him duly qualified to practice law, and thereupon it is ordered that he be licensed accordingly: Which license is now here signed by the Court and he took the oaths prescribed by law which is ordered to be certified.

Jim a Man
vs } on writ of Error
State of Miſsouri }

Now at this day come the parties afore=said by their respective attorneys aforesaid Whereupon all and singular the premises are by them submitted to the Court upon their briefs, and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

John Breeding appt
vs } Appeal
George I. Winn &
Samuel Alexander appees }

Now at this day comes the appellant by his attorney aforesaid and the appellees having failed to join in error it is ordered that the error aſsigned by the appellant be taken for confeſsed and the cause set for hearing exparte. Whereupon all and singular the premises upon the error aforesaid being now before the Court here by the appellant fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow morning 9 Oclock

Tuesday December 11th 1832

The Court met pursuant to adjournment

George W. Himes appellant
vs } On appeal.
Adam Bradford appellee }

Now at this day come the parties aforesaid by their respective attornies afore=said Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said appellant above for error aſsigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that there is no error in the record and proceedings aforesaid or in the giving the Judgment aforesaid. Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in any wise Notwithstanding and it is further considered by the Court here that the said Adam Bradford recover against the said George W. Himes his costs and charges by him about his defence in this behalf laid out and expended and that he have thereof execution.

James Sipple &
Martin Sipple
vs
Jonathan Dunkin
by his next friend

On writ of Error

Now at this day come the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given in the matters aforesaid by the said plaintiffs above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had For it appears to the Court here that there is No error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. — Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in any wise Notwithstanding: And it is further considered by the Court here that the said Jonathan Dunkin recover against the said James Sipple and Martin Sipple his costs and charges by him about his defence in this behalf laid out and expended and that he have thereof execution.

Roger N. Todd
vs
Boone Circuit Court

In Error

The defendant by his attorney joins in

Lewis Collier
vs
Richard Burton } In Error. Motion for Supersedeas

This day comes the said Lewis Collier by his attorney and produces to the Court here a Transcript of the record of the Circuit Court of Howard County in the above cause and moves the Court to grant him a Supersedeas herein, and the Court having inspected the record in said cause do consider and order that the writ of Error aforesaid herein be made a Supersedeas on the Judgment of said Circuit Court in said cause and that the same be obeyed accordingly, upon the said Lewis Collier entering into recognizance with Security as the law directs in the sum of one hundred dollars.

— And thereupon the defendant in error by his attorney suggests to the Court here that in the Record and proceedings of the said Circuit Court as certified to this Court there is diminution, and that a Bill of Exceptions taken in said Circuit Court by him has not been copied in said Transcript, and moves the Court for a writ of Certiorari to said Circuit Court to send up said Record without diminution. Whereupon it is ordered by the Court here that the defendant aforesaid have his writ of Certiorari accordingly and the cause is ordered to be continued.

David Prewitt
vs
State of Missouri } In Error. Motion for Supersedeas.

This day comes the said David Prewitt by his attorney and produces to the Court here a transcript of the record of the Circuit Court for the County of Howard in the above cause and moves the Court to grant him a Supersedeas herein. Whereupon the Court the Court take time to consider of said motion.

Edward D. Vest
vs
George W Green } On writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the

Court now here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

County of Boone
vs
Roger N. Todd } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court now here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow Morning 9 O'clock.

Wednesday December 12th 1832.

The Court met pursuant to adjournment.

John Davis appellant
vs
Benjamin Barnes appellee } On appeal.

Now at this day come the parties aforesaid by their respective attornies and thereupon the appellant by his attorney files his aſsignment of Errors and the appellee his Joinder in Error: and submit the cause to the Court upon their briefs. Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said appellant above for error aſsigned being seen and by the Court here fully understood and mature deliberation thereupon had, for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed: And it is further considered by the Court here that the said John Davis recover against the said Benjamin Barnes his costs and charges by him about the prosecution of his appeal in this behalf laid out and expended and that he have thereof execution and the cause is remanded to the said Circuit Court of Boon County for further proceedings.

Jim a Slave
vs
State of Missouri } on writ of Error

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the Judgment aforesaid it is manifestly erred Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed: Whereupon the Circuit Court is directed to remove the cause to some County in conformity to the opinion of this Court.

County of Boone
vs
Roger N. Todd } on writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for Error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that there is no error either in the records and proceedings aforesaid or in the giving the Judgment aforesaid.

Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in anywise Notwithstanding: and it is further considered by the Court here that the said Roger N. Todd recover against the said County of Boone his costs and charges by him about his defence in this behalf laid out and expended and that he have thereof execution. — Whereupon the cause is remanded to the said Circuit court for the County of Boone for further proceeding.

George C. Sibley
vs
Robert Hood } Appeal

Now at this day come the parties aforesaid by their respective attornies aforesaid, and the Court not being yet advised what Judgment to give in the premises take until the next term to deliberate thereon; and the cause is ordered to be continued.

John Breeding
vs
George J. Winn &
Samuel Alexander } On appeal.

Now at this day comes the said appellant by his attorney aforesaid. Whereupon as well the record and proceedings aforesaid and the Decree thereupon given as the matters aforesaid by the said appellant above for error assigned being seen and by the Court here fully understood and mature deliberation thereupon had for it appears to the Court here that the Bill states that on the 15th of November 1823 one Samuel Alexander (one of the appellees obtained a patent for the East half of the South West quarter of Section eighteen

Township fifty one range fourteen containing 80 and 58/100, that said Alexander purchased at the public sales of land in 1819 the other half of said quarter section on which he took a credit of eight years which time of credit expired about the fall of 1829. The Bill further states that one Joel H. Haden as assignee of one Alexander Searcy sued out a writ of attachment returnable to the July term of the Howard Circuit Court 1828 against the goods & chattels lands and tenements of the said Alexander which was levied on the quarter section above described on the 22nd of March 1828 by the Sheriff of Howard County who returned that said Alexander was not found &c And it further states that said Alexander never appeared to said action. That Judgment was obtained on said writ of attachment by said Haden against said Alexander at the November term of said Circuit Court 1828 for the sum of twenty three dollars and fifteen cents on which said Judgment Haden sued out execution and had the quarter section aforesaid sold by the Sheriff of Howard County on the 7th of March 1829 to one George I. Winn for the price & consideration of Ninety five dollars and fifty cents, and that the said Sheriff of Howard in pursuance of said sale and the consideration aforesaid had conveyed the said quarter section of land to the said George I. Winn and that the same had been duly recorded in the recorders office in Howard County. The Bill further states that at the time of the sale by the Sheriff aforesaid there was due from Alexander to the Government of the United States upon the West half of the said South West quarter section eighteen township fifty one and range fourteen about the sum of fifty dollars, but as to the precise sum the complainant did not know, and that Winn paid whatever sum was due thereon to the Government and procured a patent to issue to him for the said West half of the aforesaid quarter section as assignee of the said Samuel Alexander. The Bill further states that at the time of the sale of the land aforesaid by the Sheriff [illegible] by virtue thereof into possession of the aforesaid land & had so continued and taken the rents and profits thereof to his own use ever since which were considerable. The Bill further States that before the said attachment was issued at the Suit of Hadens as aforesaid Stated, that the said Alexander for a full and valuable consideration paid by the said Breading to the said Alexander the latter had sold & conveyed the aforesaid quarter Sections of land to the said Complainant John Breading in fee simple which deed of conveyance had been recorded in the State of Kentucky but had never been recorded in the County of Howard, and that the said last mentioned Deed had been lost & could not be found. The Bill further States that since that time, on the 2nd day of August 1830 the said Alexander had executed for the former full and valuable consideration another deed of conveyance in fee simple to the said Breading for the same land & which deed confirmed the deed formerly made & had been duly recorded in the Recorders office in Howard County which deed is made an exhibit as part of the Bill marked 2 &c by which means the bill further alleges the said complainant became and was the true and lawful owner of the land aforesaid in fee simple before the aforesaid writ of attachment issued and is now the true owner of the land &c. The Bill further charges that the affidavit upon which the above named attachment was issued, was insufficient in law and that the whole proceedings of the Court in giving the Judgment and the Sheriff in selling the land above named was irregular and void and of none effect, and that this Court at their October term held at Fayette in 1830 on account of the insufficiency of the said affidavit had set aside the Judgment of the said Circuit Court in the said attachment as being irregularly obtained. The Bill then states that the complainant is ready and willing to pay to Minn whatsoever sum of

[illegible] paid in to the Land office [illegible]
half of the said quarter section of lands out of the Land office with the legal interest thereon, provided Winn would account to complainant for the rents and profits of the land since he Winn has had it in possession if the Court shall think the same reasonable, if not, then the said complainant states his willingness to pay the money so paid by Winn into the Land office as the Court shall direct. The Bill further states that the complainant would have tendered to the said Winn the money & interest aforesaid but that Winn had left the United States on a trading expedition and had left no known attorney in fact to whom such tender could be made and that Winns family resided in Howard County and that he was expected to return in the course of the year. The Bill further charges that the complainant is the true owner of the lands, that the Judgment and all the proceedings by the Sheriff and others under it were void and of none effect and that Winn unjustly detains the land aforesaid. The Bill also states that Winn had full notice of the conveyance from Alexander to complainant as set forth in the bill &c. The Bill then prays that the said George I Winn & Samuel Alexander may be made defendants to his Bill of complaint and that they may be compelled to answer the several allegations thereof upon their oaths, and it further prays that the court would compel the said Winn to reconvey the lands described in the Bill to the complainant free from all incumbrances whatsoever done or effected by him the said Winn and that he might be compelled to deliver up the Patent granted to him as assignee of Alexander of the same to the complainant, that Winn may be compelled to account for the rents and profits of the land or whatsoever else the Court may decree and that Winn may be compelled to deliver up the

possession to the complainant of the land aforesaid and whatsoever else may be equitable and just in the premises &c. Upon which said Bill there issued the usual summons directed to the Sheriff of Howard and the Sheriff returned he had served the same by giving a copy of the Bill &c to the wife of the defendant Winn and making her acquainted with the contents thereof &c.

At February term 1831 of the Howard Circuit court the said George I. Winn by his solicitor appeared to the said suit and by consent of the complainant the said Winn had leave to answer the Bill of the complainant twenty days before the next (June) term of the said Circuit Court of Howard and on the last day of the said February term 1831 the usual order of publication was awarded against Alexander

At the June term of the said Circuit Court 1831 leave was again given to Winn to answer the Bill of the complainant till the next (October) term.

At the October term 1831 the complainant appeared and the Record states that the said Winn having heretofore entered his appearance to this suit but now makes default & has not filed at this term his answer to complainants bill according to the order of this Court at the last term thereof" therefore it was decreed by the Court that the Bill of the complainant be taken for confessed against the said George I Winn. The decree Nisi then proceeds to decree that Winn execute to Complainant a deed for the land aforesaid conveying all his right with special warranty against himself and all others claiming under him &c that he give possession of the lands to complainant and deliver the patent to him of the West half of the land and that he render an account of the rents and profits of the same since he purchased, That it be referred to a Master Commissioner of the Court

to take the account of the money paid by Winn in
the Land office and its interest and also the value of
the rents and profits of the Land &c and that the
master Commissioner make report to the next term of
the Court, and the said Court further ordered and
decreed that if the said defendant Winn should
appear at the next term of that Court and file his
answer and shew good cause why he did not appear
and file his answer at this (October) term 1831 and pay
the costs of this said decree Nisi the same should be set
aside &c and the order of publication was renewed
against Alexander returnable to the next February term
1832. At the February term 1832 on motion of the
complainant the cause was referred to Joseph Sears
Esquire Commissioner in Chancery of said Court
who was directed to ascertain what the rents and
profits of the land amounted to while in Winns
possession and also the amount of the money and
interest paid by Winn into the Land office at Franklin
and to make report of his proceedings, which account
was taken by said Sears & report made to the same
Court in which report the Commissioner stated the
amount of the money paid into the Land office at
Franklin and the interest thereon by Winn was
sixty two dollars and forty and three fourths cents
and the value of the rents and profits of the land
while in the possession of Winn was fifty six
dollars and five cents & one quarter and he thereby
ordered the latter sum to be set off against the
former, and that Brending pay to Winn the difference
which was six dollars and thirty five cents & one half.
At an adjourned session of the same term the defendant
Alexander filed his answer confessing all the facts alleged
in the complainants bill charged to have been done by
the said defendant Alexander they are true and that
as to the facts set forth in the Bill not the acts of the
said defendant he supposes they are true Knowing

[illegible] about them but what he has heard, and says he has no interest in the matter and prays he may be dismissed the court with his costs &c. The cause was then set for trial as to Alexander upon the Bill and answer. At the June term 1832 the order setting the cause for hearing as to Alexander was set aside and the entry says the said Alexander by his agent then filed his answer to the Bill & the cause is then set for hearing &c. upon bill and answer &c. At the October term 1832 the cause was submitted to the court upon Bill answer depositions & exhibits, and the Court dismissed the Bill of the said complainant and gave Judgment for costs in favour of the defendants. The complainant excepted to the opinion of the court and embodied the exhibits embracing the patents for the Land the records & Sheriffs deeds under the attachment of Hayden and the proceedings in reviving the same as also the deed from Alexander to Breeding also the Master Commissioners Report and divers depositions to prove the original conveyance from Alexander to Breeding for the land aforesaid. The said complainant then took an appeal to this Court and has assigned for error the dismissal of his Bill below & the decree for costs, and the said cause being here argued by the Solicitor of the said complainant the said appellees not having entered appearance in this Court and the said Record being seen and inspected and the matters therein duly considered by this court, the Judgment and decree of the said Circuit Court in dismissing the Bill of the said complainant and in decreeing costs to the said defendants for the errors therein appearing is reversed annulled and for nothing esteemed, and the Court now here proceeding to give such Judgment and to make such decree herein as the said Circuit

Court of Howard County ought to have given do hereby order adjudge and decree that the said John Breeding do recover of and from the said George I. Winn and the said Samuel Alexander the said South West quarter of Section eighteen in township fifty one and range fourteen lying in Howard County and State of Missouri and that the title to the same of whatever nature or kind that has been by the said Winn acquired to the land aforesaid pass from him by this decree to the said John Breeding and that the deed from the said Sheriff to the said Winn in the said bill mentioned being by virtue of a Sale made under a void Judgment pass no title to the said Winn whatsoever and that the interest acquired by the said Winn under the patent issued to him as assignee of Alexander as set forth in the complainants bill pass from the said Winn by this decree from the date of the same to the said Breeding: and that the said Breeding pay to the said Winn the said six dollars and thirty five cents and one half the sum reported due to him by the Commissioner after setting off the rents and profits against the money and interest paid by the said Winn to clear the lands aforesaid out of the land office which payment may be made by the said Breeding or his solicitor entering a release to that amount on the records of the costs he may recover against the said Winn. And it is further ordered and decreed that the said Samuel Alexander may recover his costs of the said complainant and that the said John Breeding the complainant may recover his costs of and from the said George I. Winn in the Circuit court and in this court, and that he have thereof his execution &c.

George S. Foster & Josiah Foster
ads } On a writ of Error
Robert Marsh

This day came the defendants by their attorney, and [illegible] in this cause

John Melson and Thomas J Givens report to the C[ourt] here that they have examined John Heard esquire and find him duly qualified to practice law. And therefore it is Ordered that he be licensed accordingly. which license is now here signed by the Court, and he took the Oaths prescribed by law which is Ordered to be certified.

James E Henton
vs On a writ of Error
Jesse Perkins

This day came the parties aforesaid by their respective attornies aforesaid, Whereupon all and singular the premises being by them before the Court here fully argued, and the Court not yet being advised what judgment to give in the premises, take time to deliberate thereon-

The Court then adjourned untill to morrow morning 8 OClock A.M.

James E Henton
vs On a writ of Error
Jesse Perkins-

Now at this day came the parties aforesaid by their respective attornies aforesaid- Whereupo as well the record and proceedings aforesai and the judgment thereupon given as th matters aforesaid by the said plaintiff above for error assigned being seen and by the Cour here fully understood, and mature deliberation thereon being had, for it appears to the Court he that in the record and proceedings aforesaid and also in the giving the judgment aforesaid it is manifestly erred - Therefore it i considered by the court here that the judgmen aforesaid for the errors aforesaid and falshood in the record and proceedings aforesaid be reversed annulled and entirely for naught esteemed, And it is further considered by the Court here, that the said James E Henton recover against the said Jesse Perkins

as costs and charges [illegible]
prosecution of his said writ of error in behalf laid out and expended, and that he have thereof execution. Whereupon the Cause is remanded to the said Circuit Court for the County of Boone for further proceedings

George S Foster and Josiah Foster
ads } On a writ of Error
Robert Wash

This day came the parties aforesaid by their attorneys Whereupon all and singular the premises upon the defendants motion for a rehearing of this cause being seen and heard it is considered by the Court that the motion be sustained: and that the cause be set for hearing exparte upon the plaintiffs assignment of errors; and the cause is ordered to be continued untill the next term of this Court.

Isaac Martin
vs } Appeal
William S. Miller

This day came the parties aforesaid by their Attornies - Whereupon the said Isaac Martin moved the Court for a writ of restitution against the said William S William for the Amount made out of his estate upon an execution sued from the Circuit Court of Howard County And it appearing that the sum of four hundred and forty eight dollars and fifty cents has been made upon the execution aforesaid - It therefore Ordered that the said Isaac Martin have his writ of restitution against the said William S Miller for the aforesaid sum of four hundred And forty eight dollars and fifty cents -

Lewis Collier
vs } On a writ of error
Richard Burton

This day came the parties aforesaid by their attornies, and by consent of the parties Beverly A. Sheppherd is ackepted as the Security of the plaintiff upon the supersedeas granted herein. Whereupon the said Beverly A. Shepherd here present in the Court acknowledges himself indebted to the said Lewis Collier in sum of one hundred dollars to be levied of his respective goods and chattles, land and tenements, but to be void upon condition that the said Lewis Collier shall prosecute his said writ of error with effect pay and satisfy the condemnation money & all costs or otherwise abide the judgment of this Court in this cause - The said security being approved of as sufficient. And it is Ordered that the clerk of this court endorse on the said writ of error that it shall be a supersedeas and obeyed as such accordingly

David Prewitt
vs On a writ of Error-
State of Missouri

This day came the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being seen & heard upon the plaintiffs motion for a supersedeas, it is therefore considered by the court that the writ of Error issued herein be made a supersedeas on the judgment aforesaid, and that the same be obeyed accordingly - whereupon the said David Prewitt and Thomas Turner present here in Court acknowledge themselves indebted to the state of Missouri in the sum of three hundred dollars to be levied of their respective goods and chattles land and tenements but to be void upon condition that the said David Prewitt shall prosecute his said writ of Error with effect pay and satisfy the condemnation money and all costs or otherwise abide the judgment of this Court in this case - The said Security being appro of as sufficient and it is Ordered that that the clerk of this Court endorse on the said writ of Error that it shall be a Supersedeas and obeyed as such accordingly

Edward L Vest
vs } On a writ of Error
George W Green

This day came the parties aforesaid by their respective Attornies aforesaid And the Court not yet being advised what judgment to give in the premises - Take untill the next term of this Court to deliberate thereon, to which time the Cause is Continued -

The Court allow - to Gray Bynum clerk of this Court his account against the State for Office rent from the second Monday of April to second Monday of December 1832. the sum of thirty two dollars -

The Court allow to Alfred W Morrison Sheriff of Howard County his account against the State for attending the Court and for stationary &c - furnished during the present term the sum of Twenty dollars sixty two and a half cents

The proceedings of this Term commence at page 165 - and end at page 200 - And contain thirty six pages -

The Court then adjourned untill the next court in course

M. McGirk

State of Missouri
At a Supreme Court held at the town of Fayette in the County of Howard within and for the first judicial district for said State on the first monday after the fourth monday in August (it being the second day of September) in the year of our Lord One thousand Eight hundred thirty three - before present the honorable
[illegible]
Mathias McGirk
George Tompkins
[illegible] the Judges of said Court

Alfred W. Morrison Shff & Gray Bynum clk

Gray Bynum clerk of this Court appoints Davis C Reeves deputy clerk of this Court with the approbation of the Court - Whereupon the said Davis C Reeves took an oath to support the constitution of the United States and also the constitution of the State of Missouri; and faithfully to demean himself in office as deputy clerk of this Court so long as he shall exercise the duties thereof and is admitted accordingly

William Runkle
vs } Appeal
Joseph Hagan
The appellant by his attorney files his assignment of errors

Tilghman Bell
vs } Appeal
William M Dameron
The appellant by his attorney files his assignment of errors

Armstead -- Crump
vs } Appeal
Joseph Mead
The appellant by his attorney files his

assignment of errors

Lewis Collier
vs On a writ of Error
Richard Burton

The plaintiff by his attorney files his assignment of errors

Charles McLean admr of Stephen Brockman
vs On appeal
John Thorp

The appellant by his attorney files his assignment of errors.

James C Fenton
vs On a writ of error
A J Williams

The plaintiff by his attorney files his assignment of errors

James H. Birch and
Joel H. Haden
vs On a writ of Error
Charles R Rogers

The plaintiff by his attorney files his assignment of errors

James S Ingram
vs On a writ of error
Willis Matthew

The plaintiff by his attorney files his assignment of errors.

Warfield Snell
vs On a writ of error
Henry Owens

The plaintiff by his attorney files his assignment of errors

Tilghman W. Belt
vs On appeal
Wm W. Dameron

The appellee by his attorney files his joinder in error.

John Clendennon
Vs On a writ of error
Susanna Paulsel

The plaintiff by his attorney files his aſsignment of errors.

David Prewitt
vs On a writ of error
State of Miſsouri

This day came the parties aforesaid by their attornies, and the said David Prewitt his writ aforesaid against the State of Miſsouri does not prosecute with effect, but permits the suit aforesaid to discontinue for want of prosecution &c— Therefore it is considered by the Court that the defendant recover against the plaintiff her costs by her in her defence in this behalf expended & the plaintiff in mercy &c—

The Court then adjourned untill tomorrow morning 8 Oclock A.M—

Tuesday September 3rd 1833.

The Court met pursuant to adjournment.

Robert Adams
vs
Rachel Hannon on writ of Error

The said plaintiff by his attorney files his aſsignment of Errors.

John Thorp
ads
Charles McLean
admr &c On appeal

The appellee by his attorney files his Joinder in Error.

John Baxter
ads
Daniel A. Burk on appeal

The appellee by his attorney files his Joinder in Error.

Oliver L. G. Brown
vs
Samuel Kelsey } On appeal

The appellant by his attorney files a transcript of the record in this cause, which is ordered to be continued until the next term.

Reuben B. Harris
vs
Henry Harmon } appeal.

The appellant by his attorney files a transcript of the Record in this case, which is ordered to be continued until the next term.

John M. Bell &
Hiram Craig
vs
John L. Scott } On writ of Error.

The plaintiff in Error by his attorney files his assignment of Errors.

George C Sibley
vs
Robert Hood } on appeal.

The appellants counsel suggests to the Court here that since the last term of this Court the said Robert Hood hath departed this life — Whereupon the cause is ordered to be continued.

John Clendennon
vs
Susanna Paubel } On writ of Error

The defendant by her counsel files her Joinder in Error.

Lewis Collier
vs
Richard Barton } Error

The defendant by his attorney files his joinder in Error.

Robert Adams
adv
Rachel Hannon } Error

The defendant by her counsel files her Joinder in Error.

James E. Fenton
vs
Abraham J. Williams } On writ of Error.
The defendant by his attorney files his joinder in Error.

James S. Ingram
vs
Willis Matthew } on writ of Error.
The defendant joins in Error.

William Maupin
vs
John Parker } on appeal
The appellant by his attorney files his assignment of Errors and the appellee by his attorney files his Joinder in Error.

William Runkle
vs
Joseph Hagan } appeal
The appellee by his Counsel files his Joinder in error.

Mansfield Snell
vs
Henry Owens } on writ of Error.
The defendant by his attorney files his Joinder in Error.

Charles R. Rogers
ads.
James H. Birch &
Joel H. Haden } In Error
Joinder in Error filed by the defendants Counsel.

Archibald Maupin
vs
Martha Hill } In Error
The plaintiff by his attorney files his errors & the defendant joins in error.

Charles McLean admr
of Stephen Brockman decd
vs
John Thorp } On appeal.
Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises takes time to deliberate thereon.

James H. Birch &
Joel H. Haden
vs
Charles R. Rogers } On writ of Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

William Runkle appellant
vs
Joseph Hagan appellee } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

Samuel C. Major is allowed his account against the State amounting to twenty five dollars for making a press for the clerk of this Court for the use of his Office.

The Court then adjourned until tomorrow Morning 8 oclock.

Wednesday September 4th 1833

The Court met pursuant to adjournment.

William Runkle appellant
vs
Joseph Hagan appellee } On appeal.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the Records and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said appellant above for error assigned being seen and fully understood by the Court here and mature deliberation thereupon had, for it appears to the Court here that in the record and proceedings aforesaid and also in the giving the judgment aforesaid it is manifestly erred. Therefore it is considered by the Court here that the Judgment aforesaid for the errors aforesaid and others in the records and proceedings aforesaid be reversed annulled and entirely for nothing esteemed:- and it is further considered by the Court here that the said ~~Joseph Hagan~~ William Runkle recover against the said ~~William Runkle~~ Joseph Hagan his costs and charges by him about his defence in this behalf laid out and expended, and that he have thereof execution:- Whereupon the cause is remanded to the said Circuit Court for the County of Monroe for further proceedings.

Lewis Collier
vs
Richard Burton } In Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

Richard Burton
vs
Lewis Collier } In Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

James E. Fenton
vs
Abraham J. Williams } In Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow Morning 8. oClock.

Thursday September 5th 1833.

Court met pursuant to adjournment.

James H. Birch & Joel H. Haden vs Charles R. Rogers } In Error.

Now at this day come the parties aforesaid by their respective attornies aforesaid, Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiffs above for error assigned being seen and fully understood by the Court here and Mature deliberation thereupon had, for it appears to the Court here that there is No error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid: — Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and Stand in full force and effect the said causes for error above assigned and alleged in any wise Notwithstanding: and it is further considered by the Court here that the said Charles R. Rogers recover against the said James H. Birch and Joel H. Haden his costs and charges by him about his defence in this behalf laid out and expended, and that he have thereof execution.

James E. Fenton vs Abraham J. Williams } In Error

Now at this day come the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the Matters aforesaid by the said plaintiff above for error assigned being seen and fully understood by the Court here and mature deliberation thereupon had for it appears to the Court here that there is No error either in the record and proceedings aforesaid or in the giving the Judgment aforesaid. — Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and Stand in full force and effect the said causes for error above assigned and alleged in any wise Notwithstanding: And it is further considered by the Court here that the said Abraham J. Williams recover against the said James E. Fenton his costs and charges by him about his defence in this behalf laid out and expended, and that he have thereof execution.

James S. Ingram
vs
Willis Matthews } In Error.

Now at this day came the parties aforesaid by their respective attornies aforesaid. Whereupon all and singular the premises being by them before the court here fully argued and the court not being yet advised what judgment to give in the premises take time to deliberate thereon.

The Court then adjourned until tomorrow Morning 8 o'clock

Friday September 6th 1833.
The Court met pursuant to adjournment

Charles McLean administrator of
Stephen Brockman deceased
vs } Appeal
John Tharp

Now at this day came the parties aforesaid by their respective attornies aforesaid. Whereupon as well the Record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and fully understood by the Court here And mature deliberation thereupon had for it appears to the Court that in the Record and proceedings And also in the giving the judgment aforesaid it is manifestly erred - Therefore it is considered by the Court here that the judgment aforesaid for the errors aforesaid And others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed— it is further considered) by the Court that the said Charles McLean Administrator of Stephen Brickman deceased recover against the said John Thorp his costs and charges by him about his defence in this behalf laid out and expended and that he have thereof execution— Whereupon the cause is remanded to the said Circuit Court for the County of Randolph for further proceedings

Edward D Vest
vs } Writ of Error
George W Green

Now at this day Came the parties aforesaid by their respective attornies aforesaid— Whereupon as well the Record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and fully understood by the Court here and Mature deliberation thereon had for it appears to the Court here that there is no error either in the Record and proceedings aforesaid or in the giving the Judgment aforesaid— Therefore it is Considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect, the said causes for error above assigned and alledged in anywise notwithstanding: and it is further considered by the Court here that the said George W. Green recover against the said Edward D Vest his costs and charges by him about his defence in this behalf laid out and expended and that he have thereof execution—

Archibald Patterson Esqr made application to this Court for a license to practice Law in the several courts of this State, and produced evidence of his good moral character and thereupon he is admitted to an examination. And the Court appoint A. A. King Esquire to examine said applicant— Whereupon the said examiner report to the Court here that he has examined the said Archibald Patterson esquire and find him duly qualified to practice law. and thereupon it is ordered that he be licensed accordingly: Which license is now here signed by the Court and he took the oaths prescribed by law Which is ordered to be certified

Asa Hindley
vs — On motion for Mandamus
Sanders Townsend

Now at this day came the parties aforesaid by their respective attornies aforesaid - Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what Judgment to give on the premises, take time to deliberate thereon -

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Robert Wash
vs — On writ Error
George S Foster &
Josiah Foster

Now at this day came the parties aforesaid by their respective attornies aforesaid - Whereupon all and singular the premises being by them before the Court here fully argued And the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

The Court then adjourned untill tomorrow morning nine Oclock A.M-

Saturday September the 7th 1823-

The Court met pursuant to adjournment

Asa Hindley
vs — Mandamus
Sanders Townsend

The Court not being yet Advised what Judgment to give in the premises take untill the next term of this Court to deliberate thereon, to which time the Cause is Continued

Payton Nowlin
vs — Appeal
Foster and Foster

Ordered that further proceedings in the Cause aforesaid be stayed and continued untill the next term of this Court- And on motion of the appellant leave is given to withdraw the Record filed herein-

~~The Court not being yet advised what Judgment to give for the premises take untill the next term of this Court to deliberate thereon~~

Lewis Collier
vs
Richard Burton } On a Writ of error

The Court not being yet advised what Judgment to give in the premises take untill the next term of this Court to deliberate thereon. to which time the Cause is Continued=

Richard Burton
vs } On a writ of error
Lewis Collier

The Court not being yet advised what Judgment to give in the premises take untill the next term of this Court to deliberate thereon to which time the Cause is Continued-

William Maupin
vs } On appeal
John Parker-

Now at this day Came the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued, And the Court not being yet advised ~~what Judgment~~ what Judgment to give in the premises take time to deliberate thereon-

John M. Bell and
Hiram Craig
vs } On a writ of error
John L. Scott-

Now at this day Came the parties aforesaid by their respective attornies aforesaid- Whereupon all and singular the premises being by them before the Court here fully Argued, and the Court not being yet Advised what Judgment to give in the premises take time to deliberate thereon-

vs
William M. Cameron } On appeal

Now at this day Came the parties aforesaid by their respective attornies aforesaid whereupon all and singular the premises being by them before the Court here fully argued and mature deliberation thereon had, and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon

Daniel A Burk
vs
John Baxter } On appeal

Now at this day Came the parties aforesaid by their respective Attornies aforesaid - Whereupon all and singular the premises being by them before the Court here fully argued and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon —

Ordered that the Court be adjourned untill Monday morning 9 Oclock A.M. -

The Court met pursuant to adjournment - On Monday morning September, the 9th 1833 -

Robert Wash
vs
George S Foster &
Joseph Foster } on a writ of error

Now at this day Came the parties aforesaid by their respective attornies aforesaid Whereupon as well the Record & proceedings aforesaid, and the judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and fully understood by the Court here and mature deliberation thereon had, for it appears to the Court here that there is no error either in the Record & Judgment aforesaid in the giving the Judgment aforesaid: Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed and stand in full force and effect the said causes for error assigned and alledged in any wise notwithstanding: And it is further considered by the Court here that the said George S Foster and Josiah Foster recover against the said Robert Nash their costs and charges by them about their defence in this behalf laid out and expended And that they have thereof execution

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Tilghman W. Belt
vs
William W Cameron } On appeal

Now at this day came the parties aforesaid by their respective attornies aforesaid— Whereupon as well the record and proceedings aforesaid And the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and fully understood by the Court here, and mature deliberation thereupon had for it appears to the Court that there is no error either in the record and proceedings aforesaid as in the giving the Judgment aforesaid— Therefore it is considered by the Court here that the Judgment aforesaid given in manner and form aforesaid be in all things affirmed, and stand in full force and effect the said causes for error above assigned and alledged in any wise notwithstanding: And it is farther considered by the Court here that the said William W. Cameron recover against the said Tilghman W. Belt his costs and charges by him about his defence in this behalf laid out and expended. And that he have thereof execution—

Daniel A. Birk
vs
John Baxter } On Appeal

Now at this day came the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid And the Judgment thereupon given As the matters aforesaid by the said plaintiff above for error assigned being seen and fully understood by the Court here: And mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid, And also in the giving the Judgment aforesaid it is manifestly erred - Therefore it is Considered by the Court here that the judgment aforesaid for the errors aforesaid be reversed, annulled and entirely for nothing esteemed - And it is further Considered by the Court that the said Daniel A. Burk recover against the said John Baxter his costs and charges by him about his defence in this behalf laid out and expended. And that he have thereof execution - Whereupon the cause is remanded to the said Circuit Court for the County of Clay for further proceedings

James S. Ingram
vs } Writ of Error
Willis Matthews

Now at this day came the parties aforesaid by their respective attorneys aforesaid Whereupon as well the record and proceedings aforesaid And the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and fully understood by the Court here And mature deliberation thereupon had for it is appears to the Court here that in the record and proceedings aforesaid, and also in the giving the Judgment aforesaid it is manifestly erred / Therefore it is Considered by the Court here that the Judgment aforesaid for the errors aforesaid be reversed annulled and entirely for nothing esteemed - And it is further Considered by the Court here that the said James S. Ingram recover against the said Willis Matthews his costs and charges by him about his defence in this behalf expended a and that he have thereof execution - Whereupon the cause is remanded to the said Circuit Court for the County of Boone for further proceedings

John M. Bell and Hiram Craig } Writ of Error
vs
John L Scott

Now at this day came the parties aforesaid by their respective attornies aforesaid - Whereupon as well the record aforesaid and the judgment and proceedings thereupon given as the matters aforesaid by the said plaintiffs above for error assigned being seen and fully understood by the Court here and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid, and also in the giving the judgment aforesaid it is manifestly erred - Therefore it is considered by the Court here that the judgment aforesaid for the errors aforesaid be reversed annulled and entirely for nothing esteemed - And it is further considered by the Court here that the said John M. Bell and Hiram Craig recover against the said John L Scott their costs and charges by them about their defence in this behalf laid out and expended and that they have thereof execution - Whereupon the cause is remanded to the said Circuit Court for the County of Saline for further proceedings=

Hanfield Snell } Writ of Error
vs
Henry Owens

Now at this day came the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued, And the Court not being yet Advised what judgment to give in the premises take time to deliberate thereon

Henry Howard and
George McLean —
vs
Phineas Block — Writ of Error

There being no transcript of the record, ~~nor~~ return to the writ issued herein made to this Court: And no person appearing to prosecute the same, it is Ordered that the suit be dismissed from the docket and that the defendant recover his costs and charges herein laid out and expended

Archibald Maupin
vs
Martha Rice — Writ of Error

Now at this day Came the parties aforesaid by their respective Attornies aforesaid Whereupon All and singular the premises being by them before the Court here fully argued, and the Court not being yet advised what judgment to give in the premises take time to deliberate thereon

Armstead Crump
vs
Joseph Mead — On appeal

Ordered that further proceedings in the Cause aforesaid be stayed and Continued untill the next term of this Court

The Court allow to Gray Bynum clerk of this Court his account against the State for office rent from the second monday of December 1832 untill the second monday of September 1833 . . . . $36:00

Robert Adams
vs
Rachel Hannon. } Writ of Error

Now at this day Came the parties aforesaid by their respective attornies aforesaid Whereupon all and singular the premises being by them before the Court here fully argued And the Court not being yet advised what judgment to give in the premises take time to deliberate thereon.

The Court then adjourned untill tomorrow morning 8 OClock A.M.

Tuesday Morning September 10th 1833.
The Court met pursuant to adjournment.

Benjamin Barns
vs
John Davis } Writ of Error

There being no transcript of the record, or return to the writ issued herein, made to this Court: And no person appearing to prosecute the same, it is Ordered that the suit be dismissed from the docket And that the defendant recover his Costs And Charges herein laid out And expended

Armstead Cramp
vs
Joseph Mead } On appeal

The Order made herein on yesterday Continuing this Cause untill the next term of this Court is Ordered to be rescinded annulled and set aside.

John Clendennon
vs
Susanna Pausel } Writ of Error

Now at this day Came the parties aforesaid by their respective attornies aforesaid

Whereupon All And Singular the premises being by them before the Court here fully argued. And the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon

Armstead Crump
vs
Joseph Mead } Appeal

Now at this day came the plaintiff by his attorney. and the defendant having failed to join in error. It is therefore Ordered that the errors assigned by the plaintiff be taken for confessed and the cause set for hearing exparte= Whereupon all and singular the premises upon the errors aforesaid being now before the Court here by the plaintiff fully argued and the Court not being yet advised what Judgment to give in the premises take time to deliberate thereon-

The Court then Adjourned Untill tomorrow Morning 11 Oclock A.M-

The Court met pursuant to adjournment on Wednesday morning September 11th 1833-

Robert Adams
vs
Rachel Hannon } Writ of Error

Now at this day Came the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the Judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned being seen and fully understood by the Court here and mature deliberation thereupon hand, for it appears to the Court here that in the record &

proceedings aforesaid And also in the giving the Judgment aforesaid it is manifestly erred - Therefore it is Considered by the Court here that the Judgment aforesaid for the errors aforesaid And others in the record and proceedings aforesaid be reversed annulled And entirely for nothing esteemed And it is further Considered by the Court here that the said Robert Adams recover against the said Rachel Heannon his costs and charges by him about his defence in this behalf laid out and expended, and that he have thereof execution - Whereupon the Cause is remanded to the said Circuit Court for the County of Boone for further proceedings

John Clendennon
vs
Susanna Paulsel } Writ of Error

Now at this day came the parties aforesaid by their respective attornies aforesaid - Whereupon as well the record And proceedings aforesaid, And the Judgment thereupon given as the matters aforesaid by the said Plaintiff above for error assigned being seen and fully understood by the Court here And mature deliberation thereupon had, for it appears to the Court here that there is no error either in the record And proceedings aforesaid or in the giving the Judgment aforesaid - Therefore it is considered by the Court here that the Judgment aforesaid given in form aforesaid be in all things affirmed, And stand in full force and effect, the said Causes for error above assigned And alledged in any wise notwithstanding and it is further Considered by the Court here that the said Susanna Paulsel recover against the said John Clendennon her Costs and charges by her about her defence in this behalf laid out & expended and that she have thereof Execution

Waufield Snell
vs
Henry Owens } Writ of Error

Now at this day came the parties aforesaid by their respective attornies aforesaid. Whereupon as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said plaintiff above for error assigned, being seen and fully understood by the Court here and mature deliberation thereupon had: for it appears to the Court here, that there is no error either in the record and proceedings aforesaid or in the giving the judgment aforesaid — Therefore it is considered by the Court here that the judgment aforesaid given in form aforesaid be in all things affirmed, and stand in full force and effect, the said causes for error above assigned and alledged in any wise notwithstanding: And it is further considered by the Court here that the said Henry Owens recover against the said Waufield Snell his costs and charges by him about his defence in this behalf laid out and expended, and that he have thereof execution

Armstead Crump
vs } Appeal
Joseph Mead

Now at this day came the parties aforesaid by their respective attornies aforesaid Whereupon as well the record and proceedings aforesaid and the judgment thereupon given as the matters aforesaid by the said appellant above for error assigned being seen and fully understood by the Court here, and mature deliberation thereupon had for it appears to the Court here that in the record and proceedings aforesaid

And also in the giving the judgment aforesaid it is manifestly erred - Therefore it is considered by the Court here that the judgment aforesaid for the errors assigned and others in the record and proceedings aforesaid be reversed annulled and entirely for nothing esteemed: And it is further considered by the Court here that the said Armstead Crump & Securities James Brooks, James Guthrie and John A Link recover against the said Joseph Mead Securities James Brooks, James Guthrie & John A Link their costs and charges by them about their defence in this behalf laid out and expended and that they have thereof execution. Whereupon the cause is remanded for further proceedings

William Maupin
vs
John Parker — On appeal

The Court not being yet advised what judgment to give in the premises take until the next term of this Court to deliberate thereon, to which time the cause is continued

Archibald Maupin
vs
Martha Hill — Writ of Error

The Court not being yet advised what judgment to give in the premises take until the next term of this Court to deliberate thereon, to which time the cause is continued -

The Court allow to Alfred W Morrison Sheriff of Howard County his account against the State for attending the Court and Stationary &c - furnished during the present term . . . . $15-62½ cts -

The proceedings of this term commenced at page 201 - and ends at page 222 - and contains twenty two pages - The Court then adjourned until the next Court in course - M. McGirk president